

APPENDIX B

Office of Historic Preservation Concurrence Letter and Strawberry Research



State of California • Arnold Schwarzenegger, Governor
State and Consumer Services Agency

DEPARTMENT OF GENERAL SERVICES

Real Estate Services Division, Professional Services Branch

707 Third Street • West Sacramento, CA 95605 • (916) 375-4700 • Fax (916) 375-4704 • www.dgs.ca.gov

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January 8, 2007

Mr. Milford Wayne Donaldson
State Historic Preservation Officer
Office of Historic Preservation
Attention: Dwight Dutschke
Department of Parks and Recreation
1416 9th Street
Sacramento, CA 94296-0001

**RE: Concurrence for Finding of No Historic Resources Affected for the Proposed
Santa Clara Gardens Project in Santa Clara, California**

Dear Mr. Donaldson,

The City of Santa Clara and the State of California Department of General Services (DGS) have received development applications for the construction of senior housing, single-family residences and parks (known as the Santa Clara Gardens Project) on a parcel of surplus State land located at 90 North Winchester Boulevard in the City of Santa Clara. The draft Environmental Impact Report (DEIR) for this project was circulated March 9, 2006. A portion of the document was subsequently recirculated to address comments received on the DEIR. Sections that were recirculated included transportation and circulation and hazards and hazardous materials. The City of Santa Clara and DGS received comments regarding the cultural resources section of the DEIR and as a result, additional project research was undertaken. Pursuant to Public Resources Code 5024(f) DGS seeks your concurrence on the additional findings presented in the EIR for this project.

Identification efforts for the first draft of the DEIR have been conducted by several subconsultants in the last four years. Holman & Associates performed background research at the Northwest Information Center at Sonoma State University in 2002 and conducted a field inspection; a Historic Evaluation Report of the ten extant structures on the project site was completed in October 2002 by Ward Hill, Consulting Architectural Historian; and EDAW conducted additional background research in 2005 and 2006 that included examination of historic maps and plats, deed records, local and county histories, and city directories. Oral history interviews were conducted with Clyde Elmore, UC Davis Cooperative Extension Weed/Horticulture Specialist, Retired, Eugene Speck, retired Associate Director of the University of California Agricultural Extension, and Nancy Garrison, Santa Clara County Cooperative Extension Specialist, Retired, in response to comments to the DEIR and Recirculated DEIR (RDEIR).

The project site has been occupied by a number of agencies since the late 19th Century, with development focusing on four distinct themes: private use, the institutional care of the mentally ill, the Women's Relief Corps, and activities at the University of California's experimental

Deciduous Fruit Field Station (Field Station [later known as BAREC]). There are no remaining elements related to private use, care for the mentally ill or the Women's Relief Corps on the project site. There are no structures or above-ground features related to private use, the institutional care of the mentally ill, or the Women's Relief Corps remaining. Background research (see the Timeline of Events, below) has defined the periods of use for these groups. Structures related to the UC agricultural station are still standing, including two buildings from 1928, as well as later sheds, greenhouses and numerous plantings.

In 2005, an EDAW architectural historian, with the assistance of a botanist, evaluated the project site as a potential rural historic landscape. The botanist provided information regarding the age of plantings so that they could be considered in relation to the age of the oldest structures to identify temporally related landscape elements. It was the determination of the architectural historian that there were not sufficient intact elements to meet the criteria for an historic landscape. The Ward Hill (2002) architectural evaluation of the 1928 office/lab and shed buildings found that they were substantially unaltered, but were not eligible for listing to the California Register of Historical Resources on their own merit. They were extant at the Field Station at the time period when experimental cross-breeding of strawberry varieties was being conducted, but the greenhouses that would have been a necessary part of the developmental process are gone. The only greenhouses on site today date to the 1960s or later. The lack of structural remains relating to a key element of strawberry development has decreased the historic integrity of the site. Hill did recommend, however, that the two 1928 structures be recorded according to Historic American Building Survey standards.

EDAW received comments in response to the findings presented in the DEIR and RDEIR, some of which focused on the asserted importance of the development of strawberry varieties at the Field Station to Japanese farmers before World War II, as well as their importance to returning interned Japanese farmers after World War II. As a result, additional research, enclosed and summarized below, was undertaken by EDAW.

EDAW contacted the authors of the book *Japanese Legacy: Farming and Community Life in California's Santa Clara Valley*, as well as conducted research at the Sacramento State University library; conducted website research; interviewed Japanese American Museum of San Jose curators; interviewed a former strawberry grower and Central California Berry Growers Association board member; and conducted research at UC Davis regarding the development of strawberry varieties in California.

EDAW's research efforts led to information regarding both Japanese farming activities and the development of strawberry varieties in California. It is clear that the Japanese grew the vast majority of strawberries prior to WWII; however after the war our research found that only approximately 25 percent of Japanese farmers returned to agricultural pursuits. Information regarding the broader development of strawberry varieties indicates that the California Deciduous Fruit Field Station's involvement with that research was early in the history of commercial strawberry development in California (prior to WWII), but may not be particularly significant. There was some experimental hybridizing of strawberries at the Field Station between 1929 and 1932; however local conditions (see enclosed report) made it nearly impossible to cultivate the strawberries there. Researchers moved to a site in the Santa Cruz mountains (at Zyanthe) where 2-3 additional experimental hybridizations took place, but again found themselves in such hostile conditions that research there could not continue. Strawberry research was already underway in Davis by 1925 and the scientists from the Santa Clara field station /Zyanthe moved their work to facilities at UC Davis in 1934. An additional 1-3 hybridizations were completed at Davis before the strawberries were released to the various experimental stations for testing. The California Deciduous Fruit Field Station's role, along with

five other stations across the state, was to conduct field trials of varieties developed at Davis. This seems to be their main contribution to strawberry development in California.

While the Field Station did contribute to the development of strawberry horticulture in California, there does not appear to be any evidence that particularly significant advances came specifically from the Santa Clara facility; rather it was only one station in a series. Based on this information, and recognition of the reduced number of Japanese returning to farming after the war, there is no substance to the assertion that work performed at the California Deciduous Fruit Field Station had a significant effect on interned Japanese farmers returning after WWII.

Timeline of Events at BAREC

The property is first identified in property deeds in 1872. From then until 1908, it was bought and sold several times, and eventually purchased by Margaret Osborne, the wife of Dr. A.E. Osborne, a noted researcher in the field of working with disabled children and former Superintendent of the California Home for the Care and Training of Feeble-minded Children (the Home) from 1886–1901. The Home originated in Santa Clara (not on the project site) in 1886 and moved to Sonoma County in 1891. By 1901 Osborne was no longer associated with the Home. His whereabouts are unknown until 1910 when he opened a private sanitarium known as Osborne Hall, near the southeast corner of the project site. 1910 was also the approximate beginning of the commercial strawberry industry in California, when a variety known as Banner was introduced in the Watsonville area. (As a side note, Mrs. Osborne was involved in civic affairs in Santa Clara and was a founding member and first President of the Santa Clara Woman's Club (part of the Federation of Woman's Clubs) which is still located in the historic (c.1778) Pena Adobe at 3421 The Alameda in Santa Clara.

In 1921, after a fire at their own facility, widows and orphans of Union Civil War veterans (sponsored by the Women's Relief Corps) moved to part of Osborne Hall where they remained, in decreasing numbers, until the 1950s. During the same year, Osborne sold 8 acres of the property to the State of California. He sold the remaining 10 acres to the State in 1924. The State opened the University of California Deciduous Fruit Field Station on 13 acres of the project site in 1928, at the same time constructing an office/lab building and shed that still stand near the northeastern corner of the project site.

Strawberry cultivation in California reached a significant level circa 1910. Strawberry research was initiated in Davis around 1925 and was soon taken up at the Field Station. In 1929, Thomas (a Ph.D. plant pathologist specializing in strawberries) and Goldsmith (foreman of the BAREC field station) began collecting wild strawberries from the Santa Cruz mountains and hybridizing them to develop new strawberry strains at the Santa Clara location. Severe pest and fungal problems cause them to leave that facility and move to Zyanthe, in the Santa Cruz Mountains, to continue their hybridization research. The pest and disease issues there were more severe than in Santa Clara; in 1934 Thomas and Goldsmith had to take seeds from their surviving plants in Zyanthe and move to Davis, where the seeds had to be propagated into mature plants for cloning and 1-2 more crossings. Between 1935 and 1938 strawberry varieties from the experimental program at Davis were selected and sent to the various agricultural stations throughout the state for test trials.

In 1945, after the trials were completed, the Shasta (best for coastal central California, good quality and production), Lassen (wide adaptability but mediocre to poor fruit), Sierra (eventually fails as a variety in California), Tahoe (eventually fails as a variety in California), and Donner (eventually fails as a variety in California, but becomes popular in Japan) varieties were released to growers. However, experimental breeding continued at UC Davis to address problems with each variety, eventually resulting in the introduction of better varieties in the 1950s and 1960s.

In 1951 the Department of Veteran's Affairs (VA) took over stewardship of the Women's Relief Corps home and in 1959 constructed the current VA building in the southwest corner of the property. In 1952 the State transferred 13 acres of the Field Station property to the Regents of the University of California, which continued to operate the Field Station. The five acres not in use by the University of California was leased to Charles and Genevieve Holderman. The name of the facility onsite (the former Osborne Sanitarium/Women's Relief Corps facility) was changed to the Holderman Sanitarium and began operation as a private mental health facility. By 1963 the Holderman Sanitarium had closed, the last of the Women's Relief Corps inmates was gone, and the facilities were demolished. In 1963, the State transferred the remaining 5 acres to the University of California. Also in the 1960s (or even the 1970s) a series of greenhouses are constructed at the Field Station, some of which remain today. The focus of research at the Field Station in the 1960s switched from deciduous fruits to ornamental crops. As part of the ornamental crop research, Dr. Haravandi began working at the Field Station in 1973 as part of a national testing program of turf grass varieties, experimenting with irrigation and fertilization of many different species of grasses. In 1982, the California Department of Water Resources established a network of automated weather stations to assist California's irrigators in managing their water resources efficiently; one of these stations was placed at the Field Station. The facility was renamed BAREC in 1995. The BAREC facility was eventually closed in 2002.

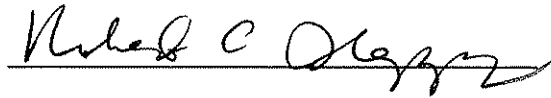
Today, the project site includes two structures from 1928 that were evaluated and found to be ineligible for listing to the California Register of Historical Resources, remnants of experimental orchards from the 1940s and 1950s, overgrown plantings from the experimental station, and 1960s–1970s greenhouses, as well as an Office for Veterans Affairs building near the southeast corner of the property. There are no structures remaining that relate to the pre-Deciduous Fruit Field Station era, with the possible exception of a small sidewalk remnant. Trials for new varieties of strawberries (among other crops) occurred there over the course of the Station's life, but the work on development of new, and possibly commercially significant, varieties was extremely limited.

January 8, 2007

The State of California Department of General Services is requesting concurrence with our determination that the sale of this state owned property will have no effect to historical resources.

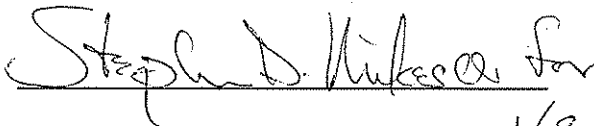
Thank you for your assistance in this matter. If you require further information to complete this request, please do not hesitate to contact me. I can be reached by phone at (916) 376-1600.

Sincerely,



Robert A. Sleppy
Chief, Environmental Services Section
Professional Services Branch

CONCUR:



Milford Wayne Donaldson
State Historic Preservation Officer

1/9/07

cc: Dwight Dutschke, OHP
Gloria Sciara, City of Santa Clara
Kevin Riley, City of Santa Clara
Susan Cochran, City of Santa Clara

Enclosures

4.11 CULTURAL RESOURCES

The purpose of this section is to determine potential cultural resource impacts associated with development and implementation of the project. This section is based on an archaeological survey report prepared by Holman & Associates in October 2002, a Historic Evaluation Report prepared by Ward Hill Consulting in October 2002 (Appendix L), and a field visit performed by an EDAW architectural historian and botanist in December 2005. An evaluation to determine the property's potential to qualify as a cultural landscape, and background research conducted by EDAW in December 2005 were also used in this investigation on February 8, 2006 a meeting was held with the State Office of Historic Preservation to discuss the results of the project's historic investigation. On February 8, 2006 a meeting was held with the State Office of Historic Preservation to discuss the results of the project's historic investigation.

Because the project site is underlain by alluvial soils that are of Holocene age (i.e., less than 10,000 years), it is unlikely that the project would disturb any potential paleontological resources during soil disturbing activities. Paleontological resources typically occur in soils that are greater than 10,000 years old. Therefore this issue is not evaluated further in this Draft EIR.

4.11.1 ENVIRONMENTAL SETTING

Holman & Associates performed background research at the Northwest Information Center at Sonoma State University in 2002 to identify known archaeological sites in or around the project area and to determine whether the property had been previously surveyed for archaeological resources. After completing the record search, the project area was field-inspected by a qualified archaeologist walking transects across the project site. No archaeological resources were encountered during this investigation (Holman & Associates 2002; Appendix L).

A Historic Evaluation Report of the 10 extant structures on the project site was completed in October 2002 by Ward Hill, Consulting Architectural Historian (Appendix L). This evaluation included background research conducted in the City of Santa Clara at the Bancroft Library, the Santa Clara County Historical and Genealogical Society, the California State Library, and other repositories containing pertinent information. A physical inventory and evaluation of site structures to determine their eligibility for listing on the California Register of Historical Resources (CRHR) was also conducted during this investigation (Hill 2002).

Primary and other secondary sources examined by EDAW in 2005 included: historic maps and plats, deed records, local and county histories, and city directories. Oral history interviews with Clyde Elmore, UC Davis Cooperative Extension Weed/Horticulture Specialist, Retired, and Nancy Garrison, Santa Clara County Cooperative Extension Specialist, Retired, were conducted to supplement, through narrative descriptions, the history of the BAREC property and additional information on its plantings. Several libraries and repositories were visited during this study including: the Santa Clara Public Library, the San Jose Public Library, the Santa Clara County Assessor's office, History San Jose's Archives and Museum, and the

California State Library's California History Room. The earliest maps depicting the project region (Exhibits 4-12 through 4-15) do not include much detail as the BAREC site was located on the margins of more densely built-up areas.

PREHISTORIC AND ETHNOGRAPHIC SETTING

The following information on the prehistoric archaeology and ethnography of project area and its vicinity is summarized primarily from Moratto (1984).

The Paleo-Indian Period (8,000–6,000 B.C.). There is minimal evidence of occupation in the southern San Francisco Bay Area during this period, possibly because of the rapid burial of archaeological materials because of rising ocean levels as a result of the melting of continental glaciers after 13,000 B.C.

The Lower Archaic Period (6,000–3,000 B.C.). There is minimal evidence of human use of the southern San Francisco Bay Area during this period. However, sites located along the southern California coast have yielded information that indicates that occupants of this area increased the use of seed bearing plants during this time. The use of readily available seeds increased the potential for food surplus and storage, and, as a result, may have increased availability of food over longer time periods and could have facilitated settlement along southern and central California coasts. Manos and metates commonly occur at sites throughout southern California at this time.

The Middle Archaic Period (3,000–500 B.C.). People began to inhabit and exploit areas directly adjacent to San Francisco Bay during this time. Around 2,500 B.C. plant resources may have been used more frequently. In particular, the use of hard seeds is apparent, as evidenced by the presence of milling tools that have been found in the area. The appearance of mortars and pestles may indicate the increased importance of acorns in the diet. Large projectile points from upland sites could indicate an increased emphasis on the hunting and processing of large game. Fishing implements have also been recovered from sites dating to the period. The presence of semi-exotic chipped stone materials may reflect increased group mobility, because these stones are not naturally found in the local area.

The Upper Archaic Period (500 B.C.–A.D. 1,200). Characteristic markers of the Upper Archaic Period include the use of red pigments, quartz crystals, edge-notched stone weights, and bone implements including whistles, scapula saws, and elk antler wedges. *Haliotis* and *Olivella* ornaments became important exchange articles during this period. Shell ornaments from central and southern California were transported east to the Great Basin, and obsidian was transported to the coast from eastern Sierra sources, the Coso area, and the North Coast Ranges. Southern Bay Area populations were more sedentary, as is evidenced by the presence of large shell mounds.

The Emergent Period (A.D. 1,200–contact). Trade and interaction between groups continued. Socio-political complexity may have increased, possibly in response to trade and economic relationships. The Augustine Pattern, found in sites dating to the Emergent Period, was characterized by continued use of mortars and pestles, some with applique beads, stone



Source: Compiled by Bailey & Phillips, Real Estate Agents, 1887

1887 Map of Santa Clara County

EXHIBIT 4-12

tobacco pipes, and small projectile points used with the recently introduced bow and arrow technology. Distinct shell bead and ornament patterns appear, including the distinctive “banjo” *haliotis* pendant that may be derived from the Kuksu cult in the Central Valley.

Ethnographically, the project area was inhabited by the Ohlone. The Ohlone are a Costanoan (or Penutian) speaking people who arrived in the area around A.D. 500. They inhabited the area from central San Francisco Bay to Monterey and east to the crest of the Coast Ranges. Ohlone settlement patterns were based on triblet groupings, with kinship or marriage ties between specific settlements. Each triblet might be represented by one or more permanent villages and camps in their territories (Levy 1978).

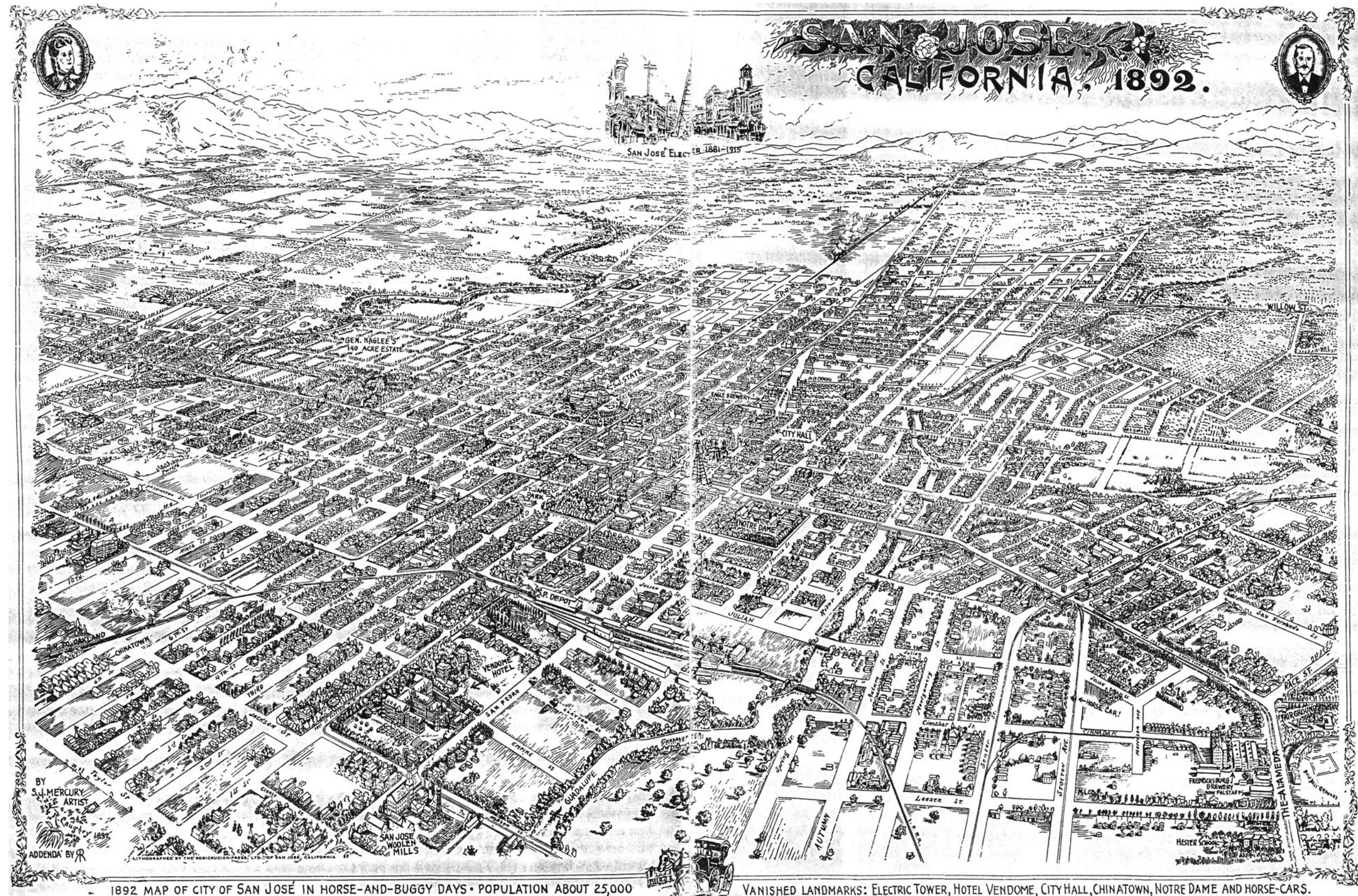
The Ohlone followed a seasonal round of resource exploitation, breaking into small groups to obtain foodstuffs, or occasionally moving entire villages to take advantage of seasonally available flora and fauna. Ohlone territory included grassland, woodland, chaparral, coastal, estuarine, and tidal marsh environments. Tule reeds were extensively used, as were brush, grass, or thatch, to make boats, rafts, or houses. Sweat lodges, dance houses, and assembly houses would have been important components in any village and cemeteries were located near the edge of a village (Levy 1978). In general, Ohlone lifeways remained unchanged for centuries prior to the large-scale incursions of Euro-Americans starting in the latter part of the 19th century.

HISTORIC SETTING

Regional History

Although trappers, traders, and explorers had been passing through the Santa Clara region for decades, permanent European settlement of the general area began in 1777 with the establishment of Mission Santa Clara, a Spanish mission on the banks of the Guadalupe River (Hoover et al. 1990). Floods damaged the church in 1779, and the building location was moved to higher ground. The new mission was dedicated by Father Junipero Serra in 1784. After secularization of the missions, the mission lands were confiscated, divided into land grants and the buildings subsequently became neglected. In 1851, Santa Clara College was established in the old mission buildings by the Rev. John Nobili, S.J. The population in the area grew slowly until the Gold Rush created the need for a more diverse local industrial base.

In 1848, California became a United States territory as a result of the Treaty of Guadalupe Hidalgo, ending the war with Mexico. California was formally admitted as a state in 1850. After admission, Santa Clara County was one of the original 27 counties created by the California legislature. The Gold Rush of 1849 brought with it an influx of immigrants to California. With the increased population, a large market for agricultural products was created. The Santa Clara Valley gradually shifted from an economy based on livestock grazing to farming. As a result of population growth and settlement, the town of Santa Clara was incorporated in 1852, and two colleges were established in 1851 and 1852. The first major business in Santa Clara was the Wampach Tannery. Other enterprises that developed around this time included seed purveyors, lumber companies, and support operations such as banks and hotels (Hill 2002).



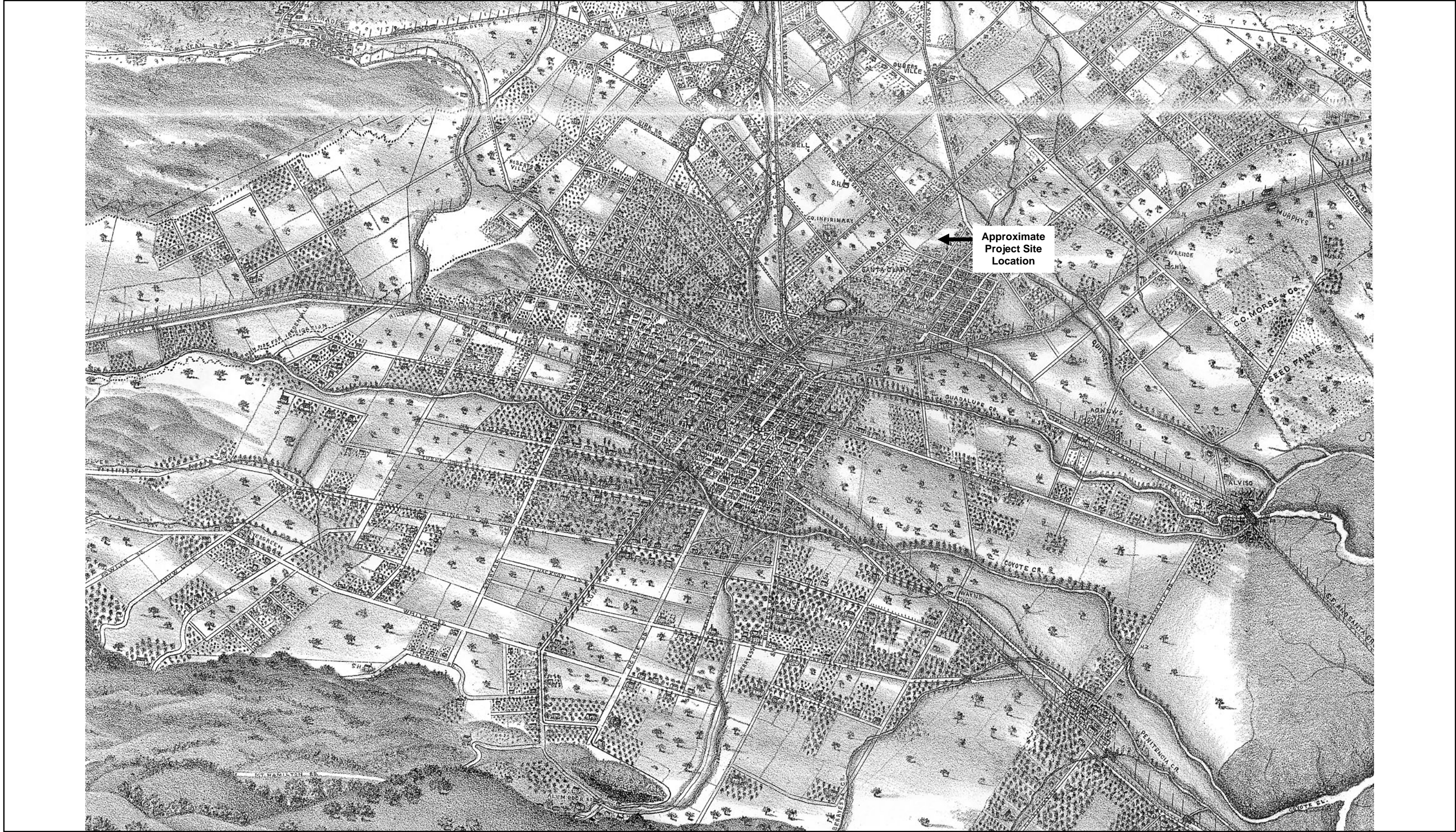
Source: Adventure Valley: Streets of Santa Clara Valley Pioneers by Ralph Rambo, Santa Clara 1970

1892 Map of San Jose

Santa Clara Gardens Development Project Draft EIR
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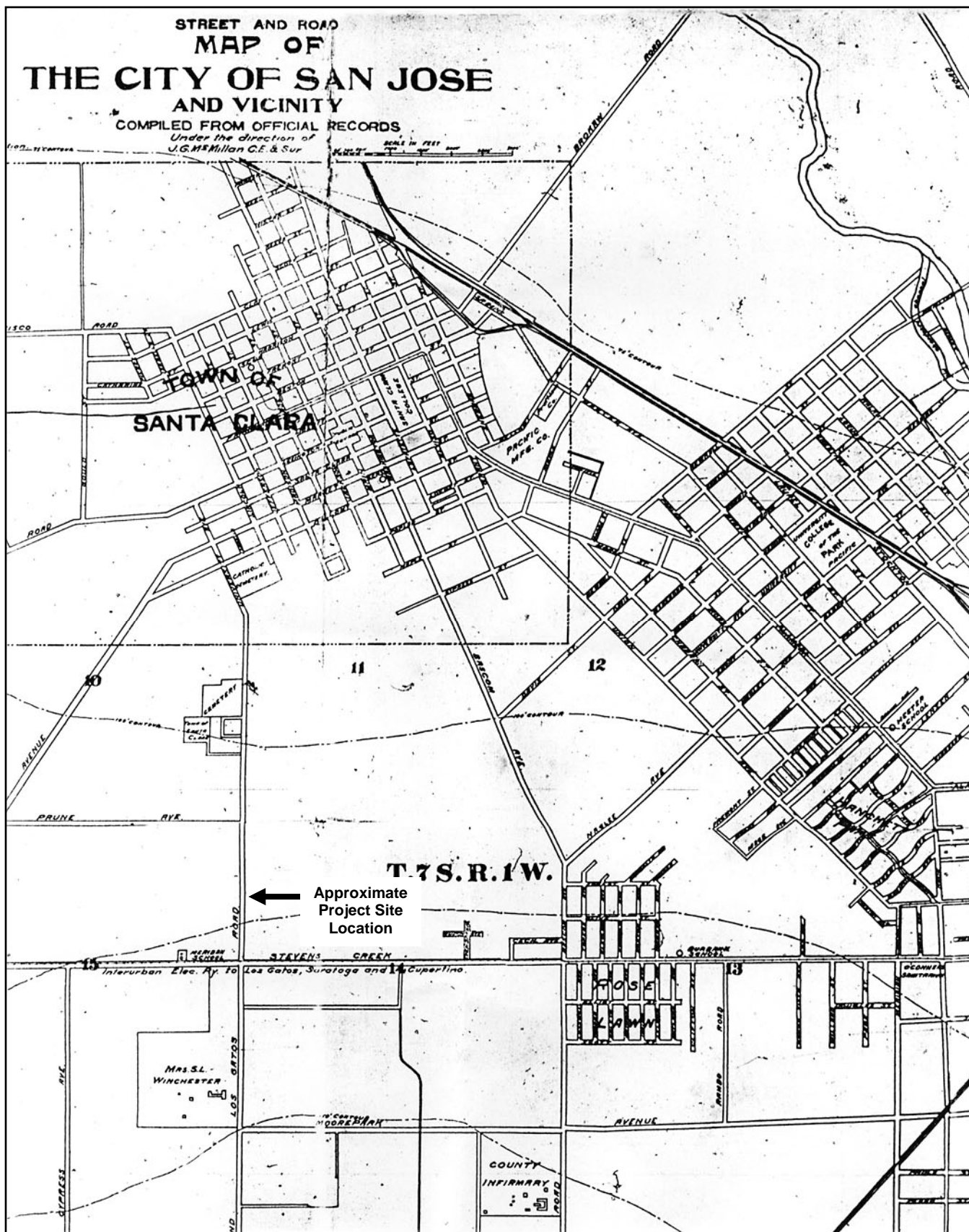
EXHIBIT 4-13

EDAW



Source: On file, History of San Jose Archives

1895 Bird's Eye View of Santa Clara County



Source: Compiled from Official Records, J.G. McMillan C.E. & Sur

1909-10 Map of San Jose and Vicinity

EXHIBIT 4-15

Agriculture continued as the basis for the regional economy until the early 1930s, when the Sunnyvale Naval Air Station opened. Other businesses and industries that supported the military presence soon followed. Over time, military-related business was partially supplanted by the electronics industry, which led to the rise of Silicon Valley (Hill 2002).

Project Site History

The project site has been used by a number of occupants since the late 19th Century, with development focusing on four distinct themes: private use, the institutional care of the mentally ill, the Women's Relief Corps, and activities of the University of California Agricultural Extension. Each of these developments is discussed below. Several of these uses ran concurrently, as the 18-acre property was internally subdivided over time. A timeline of historic property use is located in Table 4.11-1, located at the end of the sections that follow describing the various uses.

Private Use

From 1870–1908 (Appendix L), the property passed through a succession of private owners. The parcel size stays the same throughout the earliest transfers, at approximately 80 acres until 1875 when 18 acres, the project site, became a separate parcel. Later, for 2 years (1887–1887) it joins a much larger property, owned by Henry Titus, but is then reduced back down to the 18-acre Osborne parcel. There is a paucity of information regarding the property during this time period, but an examination of the names of the owners does not reveal anyone who had any suggested connections with the known history of the project area, described below.

California Home for the Care and Training of Feeble-minded Children

Provision of child mental health services was associated with what was known as the “child guidance” movement. This development followed pioneering psychiatric studies oriented toward children by American psychologists toward the end of the 19th Century. These early studies were initially conducted in conjunction with the development of the first juvenile courts and the concept of preventative intervention. Before long, clinics dedicated solely to the study of child behavior were established (Deutsch 1937:323-324). One of the first clinics to undertake the psychological study of children was the Juvenile Psychopathic Institute, which opened in 1909 in connection with the juvenile court in Chicago, Illinois. This institution began as a five-year experiment, with the understanding that if the project proved successful, the institute would be taken over by the public. Before the end of the experiment in Chicago, two similar clinics were established – one in Boston and another in Baltimore. By the early 20th century, social service had become highly integrated into the psychiatric study and treatment of child behavior (Deutsch 1937:324).

Very early examples of the concern for childhood mental health were seen in Santa Clara County. In 1883, Julia Judah and Frances Bentley formed the California Association for the Care and Training of Feeble Minded Children to “provide and maintain a school and asylum for the feeble-minded, in which they may be trained to usefulness” (Department of

Developmental Services 2004). The first facility opened in Vallejo in 1884, with care for 20 patients directed by Superintendent B.T. Wood (Foote 1888). In 1885 there was a State appropriation that led to the construction of the California Home for the Care and Training of Feeble-minded Children (California Home) in 1886 on a 51-acre parcel in the town of Santa Clara. No exact location for this 51-acre parcel was identified during archival research as the research was focused on the project locality and its immediate environs rather than the larger Santa Clara town boundaries. There was no indication that the 18-acre Santa Clara Gardens property was contained within the larger 51 acres. An undated parcel map of Santa Clara County that appears to be from the approximate time period concerned here was examined in an attempt to locate the 51-acre parcel; however, large portions of the map were faded and illegible and the site could not be identified. James Reed, archivist at The History of San Jose's Archives and Museum stated that he knew of no other maps of that place and time which might be of value in this research. The property owner for the mental facility would have been the State of California; as can be seen in Appendix L and Table 4.11-1 below, the State of California did not obtain a title to any portions of the project site until 1921.

The new (as of 1886) superintendent of the California Home, Dr. A.E. Osborne, was a noted researcher in the field of working with disabled children (Foote 1888; Sawyer 1922). Dr. Osborne was from Pennsylvania, where he began his practice in 1879. He specialized in nervous and mental disorders in association with the Pennsylvania Training School for the Feeble-Minded. During Osborne's tenure, the facility grew rapidly. It was reported that there were 110 children in treatment, with another 150 on a waiting list for the California Home by 1888 (Foote 1888). Both Osborne himself and the California Home were listed in the San Jose and Santa Clara County Polk-Husted Directory (City Directory) for 1889-1890 (the directories were examined for the area beginning in 1885). Unfortunately, no addresses were given for either. Therefore, their locations could not be confirmed by this source. At about the same time (1888), the Agnews asylum for the "chronic insane" opened in the town of Agnews (Garcia 2003), located several miles to the north of the project site on property the State acquired in 1885; it was also listed in the Polk-Husted directory of the time. Agnews was a larger and more prominent home for the mentally ill that was one of the first to focus on treatment of mental problems rather than just confinement of the patients (Garcia 2003).

The rising population at Osborne's facility quickly led to the need for more space. In 1890, the State purchased land in Sonoma County and began construction of the new facility in that same year, relocating the Santa Clara patients to Sonoma County in 1891. Osborne went to Sonoma in 1891 as Superintendent of the facility. He was replaced by Dr. W.M. Lawlor in 1901 (asserted in McCray 2005). No record was found of Dr. Osborne's association with the California Home after 1901.

Property deeds (Appendix L) indicate that Osborne purchased the 18-acre Santa Clara Gardens property in 1908. It is not until 1910 that Osborne reappears in the Santa Clara phone directory, this time as: Osborne, Antrim E., propr. Osborne's Sanitarium on Los Gatos Rd [later Winchester] near Stevens Creek Rd, the location of the current project site. Osborne's Sanitarium was also referred to locally as Osborne Hall.

Osborne was listed in the City Directory as a physician until 1916. He was elected to the State Senate in 1920 (Sawyer 1922) where he served on a number of committees connected to conservation, public health, and related fields. From 1921–1924, the Osbornes sold parcels of the project site property to the State of California (Appendix L), until the entire 18 acres had been turned over to the State. It is unknown, but presumed, that the state used at least some of the extant structures still standing at the time of the sale.

See the following sections (Women’s Relief Corps Home, University of California Agricultural Extension) for property uses between 1924 and 1952. During that period, the property was internally divided, with continued use of approximately five acres (Appendix L; United States Geological Survey 1961) in the central and southeastern portion of the project site for the Women’s Relief Corps Home and, later, the Holderman Sanitarium (see below). A conversation with Eugene Speck, former Associate Director of the Agricultural Extension station at BAREC (pers. comm. 2006) confirms that the Women’s Relief Corps home was located near the southeastern portion of the project site.

Women’s Relief Corps Home

In 1866, Civil War veterans of the Union armed forces established the Grand Army of the Republic (GAR), an organization similar to today’s Veterans of Foreign Wars or the American Legion. Founded and headed by prominent members of the military, enrollment peaked in 1890 with more than 400,000 members. The mission of the organization was to strengthen the bonds of comradeship, to provide aid to soldiers’ widows and orphans, and to handicapped veterans, and most importantly to preserve the memory of their fallen comrades. The GAR was responsible for securing the adoption of both Flag and Memorial Day observances (<http://www.suvcw.org/>). Auxiliary societies associated with GAR included the Sons of Veterans (1881), the Women’s Relief Corps (1883), and the Ladies of the Grand Army of the Republic (1886). The organization held its last encampment in 1949 and the last GAR member died in 1956.

To meet their mission, in the late 1880s (Sawyer 1922) the Women’s Relief Corps built and operated a hospital for widows and families of veterans on five acres in the Evergreen area of San Jose on Cadwallader Road, several miles south of the project site. There were only three such facilities in the country at this time. On April 6, 1889, the cornerstone for the home was laid at the Evergreen site. That property was dedicated for use later that year on December 28. The facility housed women and children until October 10, 1920, when it burned to the ground. After the fire, the women and children were temporarily housed at Agnews, until fall of 1921 when they moved into Osborne Hall, on the project site. A series of appropriations by the State Senate and Assembly (Appendix L) allowed the Department of Veteran’s Affairs to lease at least part of the project site to house the Women’s Relief Corps nursing home as well as allotting financial support to the “inmates.”

On June 11, 1947, the State Assembly, by a poll of 54 to 20, voted to close the Women’s Relief Corps Home. Supervisor Joseph M. McKinnon had successfully stopped a similar proposed action in 1942. In spite of the attempts to close the facility, it continued to receive funding, with \$39,500 included in Governor Goodwin J. Knight’s 1956–57 state budget. In 1952, the

State deeded approximately 13 acres to the Regents of the University of California making that agency the owner of the UC Deciduous Fruit Field Station (see University of California Agricultural Extension below).

In 1954, the State leased the buildings, presumably those built for the Osborne Home, to Charles and Genevieve Holderman and the name of the facility was changed to the Holderman Sanitarium. Holderman's father, Colonel Nelson Holderman (winner of the Medal of Honor), was commandant of the California Veterans' Home in Yountville. The Holdermans gradually transferred their patients to newer facilities; in 1962, the only remaining resident, Eva Simpkins, was moved to a new facility and the remaining five acres of property were transferred to the University of California the next year (Appendix L).

University of California Agricultural Extension

The varied topography and precipitation in California provided a wide range of climates suitable to growing a variety of crops. Early farmers in California used these factors to create a market for themselves in the growing population led by the influx for the Gold Rush. Other factors, including Statehood, railroad development (bringing Americans westward), the timber industry, other mining etc. each contributed to the need for increased agriculture. Near the end of the 19th century new approaches to farming were being studied in Europe and one or two places in the eastern United States. These studies were based on controlled experimentation and laboratory work. The newly established University of California, with its statewide network of Agricultural Experiment Stations, picked up on the emerging agricultural sciences. The stations made immediate and pertinent practical applications and agricultural advances, most notably in strawberry breeding programs begun in the early 1900s. These breeding programs produced many successful varieties that were shipped all over the nation (Darrow ca. 1965).

Farming in California typically consisted of large farms devoted to a single crop. Because these farms could go bankrupt with a single crop failure, advanced farming methods and newly-developed agricultural knowledge was used to help ensure their success. Intricate irrigation systems, precisely engineered fields, and the use of soils science were methods used on many California farms. Much of the research undertaken in California found application throughout the world (Wells 1969:6).

The Santa Clara County Deciduous Fruit Station, part of the University of California Agricultural Extension, opened in 1920, and moved to the project site in 1928, when 13 acres of land surrounding the Woman's Relief Corps Home were leased from the State. The agricultural extension was established to investigate problems related to the growth and care of deciduous fruits in the central counties. Buildings were added in the 1920s, including the still-standing lab/office building and a nearby shed. Additional buildings were constructed after World War II and greenhouses and a potting shed were added in the early 1970s. Work conducted at the Deciduous Fruit Station included development of several varieties of strawberries (Speck, pers. com.). Studies for the selection of varieties of garlic, soybeans, drought resistant grass, and other landscape and vegetable crops were also conducted at the site.

Research at the Agricultural Station has focused on agricultural systems and plant varieties that require less water. In particular, a variety of drought-resistant turf grass was developed at the station by Dr. Ali Harwandi. Several plots of this turf remain on the property. Tree varieties were also studied to select varieties that did not damage city sidewalks and streets. Compost and vermiculture studies were conducted to develop methods to greatly reduce watering needs in urban landscapes and small gardens. In an effort to help reduce smog in the Santa Clara Valley, agricultural waste disposal methods including chipping and grinding were developed at the project site to replace more traditional burning that had been the standard practice used by valley farmers. There was a move to close the Agricultural Station in 1950; however it stayed in operation until it was officially closed on January 1, 2002.

Table 4-22	
Timeline of Historic Property Use at the Santa Clara Gardens Site	
Date	Events
1870	Project site transfers from U.S.A. (Patent) to the Heirs of Isaac Owen
1872	Lucinda and Amy Owen transfer part of the property to Sarah F. Kidder
1875	William Mc K Owen transfer the remaining property to Sarah F. Kidder
1875	Charles and Sarah Kidder transfer the property to James B. Yeargain (±18 acres)
1875	Yeargain transfers the property to H.H. Warburton (±18 acres)
1887	Warburton transfers the property to Henry W. Titus (part of a larger plot, ±115 acres)
1889	Titus transfers the property to Nicholas DeBar (±18 acres)
1907	The property is foreclosed and transferred to J.J. Sontheimer (±18 acres)
1908	J.J. and Anna Southeimer transfer the 18 acres to Margaret Osborne
1910	Osborne Sanitarium appears in local phone directory
1921	Women's Relief Corps moves to the property
1921	State acquires 8 acres of the project site from the Osbornes
1924	State acquires the remaining 10 acres of the project site from the Osbornes
1928	UC Deciduous Fruit Field Station begins operating at the project site (13 acres)
1928	The laboratory/office building and the shop building were constructed
1947	State Assembly closes the Women's Relief Corps home to future applicants (remains operational for existing patients)
1951	Veteran's Bureau of California takes over operation of the Women's Relief Corps home
1952	State transfers 13 acres of the property to the Regents of the University of California, who continue operating the Field Station
1954	The 5 acres not in use by the Field Station is leased to Charles and Genevieve Holderman. The name of the facility onsite is changed to the Holderman Sanitarium
c.1960	Construction begins on the existing structures at the site, including sheds and greenhouses
1960s	Research focus shifts from deciduous fruit to ornamental crops
1963	State of California transfers remaining 5 acres to the University of California
1963	Women's Relief Corps, Holderman Sanitarium buildings demolished

Table 4-22	
Timeline of Historic Property Use at the Santa Clara Gardens Site	
Date	Events
1980s	Research focus shifted to needs of the homeowner
1995	Field Stations became Research and Extension Centers. Name changed to the Bay Area Research and Extension Center (BAREC)
2002	BAREC facility closed
Table compiled by EDAW 2006.	

REGULATORY SETTING

City of Santa Clara General Plan

The City's General Plan includes an ongoing program for cultural resources management within the City. The Planning Department is responsible for implementation of this program, and is monitored on a yearly basis by the City of Santa Clara Planning Commission for compliance with federal and state requirements.

Elements of the City's archaeology program require that the City:

- ▶ Continue to require archeological investigations of all proposed construction sites in sensitive areas, such as within 500 feet of a natural watercourse. An archeological survey shall be prepared by the project applicant to the city's satisfaction, including limited subsurface excavation, and possibly to include a detailed subsurface investigation when important resources cannot be avoided.
- ▶ Continue to require prior to development, whenever archeological remains are found, a plan for preserving, removing, and recording the find, to be prepared to the City's satisfaction by a professional archeologist (City of Santa Clara 1998).

The City Council adopted Criteria for Local Significance on April 8, 2004 (Appendix L), which outlines the criteria for determining the significance of historic resources within the City. These criteria include evaluating resources for the historic, cultural, architectural, geographic, and archaeological significance.

State CEQA Guidelines

CEQA offers guidelines regarding impacts to historical and archaeological resources. CEQA states that if implementation of a project would result in significant impacts on important cultural resources, then alternative plans or mitigation measures must be considered. However, only significant cultural resources need to be addressed. A significant historical resource is defined as "a resource listed or eligible for listing on the California Register of Historical Resources" (CRHR) (Public Resources Code Section 5024.1). A historical resource may be eligible for inclusion on the CRHR if it:

- 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; or
- 2) Is associated with the lives of persons important in our past; or
- 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- 4) Has yielded, or may be likely to yield, information important in prehistory or history.

Sites must also be evaluated for their integrity under CCR Section 4852(c), which states:

- Integrity is the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance.

Section 15064.5(a)(2) states that historic resources include resources included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC, or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the PRC shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

Section 15064.5(e) of the State CEQA Guidelines requires that excavation activities stop whenever human remains are uncovered and that the county coroner be called to assess the remains. If the county coroner determines that the remains are those of Native Americans, the Native American Heritage Commission must be contacted within 24 hours. At that time, State CEQA Guidelines Section 15064.5(d) directs the lead agency to consult with the appropriate Native Americans as identified by the Native American Heritage Commission and directs the lead agency (or applicant) to develop an agreement with the Native Americans for the treatment and disposition of the remains.

In addition, the State CEQA Guidelines Section 15064.5 requires consideration of unique archaeological sites. If an archaeological site does not meet the criteria for inclusion on the CRHR but does meet the definition of a unique archeological resource as outlined in the Public Resource Code Section 21083.2, it may be treated as a significant historical resource. Resources that are eligible for listing on the CRHR include sites that are the location of a significant event, or a building or historical structure. These sites do not need to be marked by physical remains. Eligible sites could include trails, landscapes, battlefields, or habitation sites (CCR 14, Chapter 11.5, Section 4852[a][2]). Cultural resources locations may also be considered for eligibility as California Historical Landmarks or California Points of Historical Interest (PRC Section 5022.5). Criteria to evaluate resources for these listings may be found on the Office of Historic Preservation website (<http://ohp.parks.ca.gov>).

Under CEQA, landscape evaluations are guided by National Register Bulletin 30, Guidelines for Evaluating and Documenting Rural Historic Landscapes (1999), National Register Bulletin

18, How to Evaluate and Nominate Designed Historic Landscapes, the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes (1992), and the CRHR eligibility criteria (Public Resources Code 5024.1 (c)). These guidelines and regulations, along with the developed eligibility considerations provided below, provided a framework with which to gauge the BAREC property's potential significance as a historic landscape.

Historic Landscape Eligibility

Rural Historic Landscapes

For the purposes of the National Register, a rural historic landscape is defined as a geographical area that historically has been used by people, or shaped or modified by human activity, occupancy, or intervention, and that possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings and structures, roads and waterways, and natural features. Rural landscapes commonly reflect the day-to-day occupational activities of people engaged in traditional work such as mining, fishing, and various types of agriculture. Often, they have developed and evolved in response to both the forces of nature and the pragmatic need to make a living. Landscapes small in size and having no buildings or structures, such as an experimental orchard, are classified as sites. Most, however, being extensive in acreage and containing a number of buildings, sites, and structures--such as a ranch or farming community--are classified as historic districts. Large acreage and a proportionately small number of buildings and structures differentiate rural historic landscapes from other kinds of historic properties.

Distinct from designed landscapes, rural landscapes usually are not the work of a professional designer and have not been developed according to academic or professional design standards, theories, or philosophies of landscape architecture. These properties possess tangible features, called landscape characteristics, that have resulted from historic human use. In this way, they also differ from natural areas that embody important cultural values but have experienced little modification, such as sites having religious meaning for Native American groups.

National Park Service Preservation Brief # 36 defines a vernacular (rural) historic landscape a landscape that evolved through use by the people whose activities or occupancy shaped that landscape. Through social or cultural attitudes of an individual, family or a community, the landscape reflects the physical, biological, and cultural character of those every day lives. Function plays a significant role in vernacular landscapes. They can be a single property such as a farm or a collection of properties such as a district of historic farms along a river valley. Examples include rural villages, industrial complexes, and agricultural landscapes.

The Santa Clara Gardens project site does not appear to meet the criteria of a rural historic landscape. The site has been completely modified, as opposed to more minor changes that preserve the essentially rural character of the area.

Designed Historic Landscapes

For the purposes of the National Register, a designed historic landscape is defined as any of the following:

- ▶ a landscape that has significance as a design or work of art;
- ▶ a landscape consciously designed and laid out by a master gardener, landscape architect, architect, or horticulturalist to a design principle, or an owner or other amateur using a recognized style or tradition in response or reaction to a recognized style or tradition;
- ▶ a landscape having a historical association with a significant person, trend, event, etc. in
- ▶ landscape gardening or landscape architecture; or
- ▶ a landscape having a significant relationship to the theory or practice of landscape architecture.

In many instances, the original design intent of a significant designed historic landscape was to complement an adjacent building or buildings. In such cases the research needs to address the significance of both the architecture and the designed historic landscape and their interrelationship. Examples of interrelated historic architecture and designed historic landscapes, such as a courthouse and courthouse square, should not be artificially separated but evaluated as a unit.

National Park Service Preservation Brief # 36 defines a designed historic landscape as a landscape that was consciously designed or laid out by a landscape architect, master gardener, architect, or horticulturalist according to design principles, or an amateur gardener working in a recognized style or tradition. The landscape may be associated with a significant person(s), trend, or event in landscape architecture; or illustrate an important development in the theory and practice of landscape architecture. Aesthetic values play a significant role in designed landscapes. Examples include parks, campuses, and estates.

Many historic landscapes are significant because they represent such themes as early settlement, immigration, or agriculture; yet unless they meet the above definition, they are not considered designed historic landscapes. This definition of designed historic landscape does not include such landscapes as ethnic communities or farmsteads that may be historic but that developed for the most part without benefit of professional planning or design; that were not consciously designed as works of art; or that represent the work of distinct cultural groups and are more properly classified as cultural or vernacular landscapes.

Beyond the application of the criteria above, a resource must retain sufficient integrity from its period of significance to be considered eligible for listing. Because of the importance of land, natural features, and vegetation, the seven qualities of integrity (location, design, setting, workmanship, materials, feeling, and association) are often applied differently to landscapes. This relationship, involving land patterns of spatial organization, circulation networks, and

clusters, is influenced by the cohesiveness of the landscape. Integrity of setting and design, for example, are associated with boundary demarcations, small-scale elements, and vegetation. The final decision about integrity is based on the condition of the overall property and its ability to convey its historically significant appearance. In assessing the overall integrity, it is necessary to consider the nature, extent, and impact of changes made to the property since the period of significance. For example, the repeated loss of buildings and small-scale features over time may result in the cumulative loss of integrity.

Examination of the two types of landscape discussed above clearly indicates that the Santa Clara Gardens site could only be considered as a designed landscape. However it also fails to meet these criteria. There is no attempt to design permanent features, rather the agricultural extension history is one of continuing change and rotation of plantings with no particular attempt to relate the architecture and plantings, no style of design, and no intent to leave more permanent plantings.

California Historical Landmark

California Historical Landmarks are sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. The specific standards now in use were first applied in the designation of Landmark # 770, a Chinese temple in Oroville. California Historical Landmarks #770 and above are automatically listed in the California Register of Historical Resources.

To be designated as a California Historical Landmark, a resource must meet at least one of the criteria listed below; have the approval of the chairperson of the County Board of Supervisors or the City/Town Council in whose jurisdiction it is located; be recommended by the State Historical Resources Commission; and be officially designated by the Director of California State Parks.

Criteria for Designation

To be eligible for designation as a Landmark, a resource must meet at least one of the following criteria:

- ▶ The first, last, only, or most significant of its type in the state or within a large geographic region (Northern, Central, or Southern California).
- ▶ Associated with an individual or group having a profound influence on the history of California.
- ▶ A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer or master builder.

California Point of Historical Interest

California Points of Historical Interest are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. Points of Historical Interest designated after December 1997 and recommended by the State Historical Resources Commission are also listed in the California Register.

Criteria for Designation

To be eligible for designation as a Point of Historical Interest, a resource must meet at least one of the following criteria:

- ▶ The first, last, only, or most significant of its type in the state or within the local geographic region (City or County).
- ▶ Associated with an individual or group having a profound influence on the history of the local area.
- ▶ A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in the local region of a pioneer architect, designer or master builder.

METHODOLOGY

The following analysis is based upon the previous reports by Holman and Associates (2002) and Hill (2002) as well as the EDAW background research and site visit. The information collected during these various efforts was then used to assess the property's eligibility to the CRHR as a landscape resource, a historical landmark, and a point of interest.

Known Cultural Resources in the Project Area

No prehistoric sites have been identified in the project area (Holman 2002). There are ten extant structures on the project site. Of the ten structures, only the lab/office building and the shop are over 50 years old. Neither of these buildings has been substantially altered, thus they appear to retain a high degree of historic integrity (Hill 2002). Other historic-era resources, such as remnants of landscape features and some structural remains associated with the charitable organizations and the agricultural research activities described above are present. Resources on the property include buildings from the Agricultural Extension period, a plum tree which may have been planted in the 1940s, a Chinese pistachio tree, an avocado tree, and a sidewalk section from the Women's Relief Corps home/sanitarium located adjacent to the project site. Subsurface foundations, privies, cisterns, or other features relating to the earlier uses of the property may also exist.

EDAW Site Visit

An EDAW architectural historian and botanist visited the project site on December 13, 2005 to gather information about the site's characteristics and existing condition. The site was examined from various perspectives for project-area overviews, as well as specific physical features. A large portion of the field visit was directed at determining the extent to which historic properties remain intact. The EDAW team noted buildings, structures, plantings, circulation systems, spatial organization, and any other feature which might contribute to an understanding of the site as a whole. Photographs were taken using both digital and 35 mm cameras. Global Positioning System units, aerial photographs, and topographic quadrangles were also used for reference during the field investigation.

The plantings onsite were examined by EDAW botanist Ellen Dean. She observed three maples (*Acer* sp.) no more than 20 years in age, and boxleaf hebe (*Hebe buxifolia*), shrubs which have been popular plantings in the Bay Area since the 1960s, were planted around the old office/ laboratory. Also present are red valerian (*Centranthus ruber*), Siberian elm (*Ulmus pumila*), ivy (*Hedera helix*), and geranium (*Pelargonium* sp.), all common varieties of horticultural plants widely planted in the Bay Area. Throughout the site there is a good deal of wavyleaf sealavender (*Limonium sinuatum*), presumably escaped from a horticultural trial done within the last 40 years.

Fields where turf-grass trials took place are present, however these fields are now fallow. Several varieties of fruit trees were seen onsite including a pineapple guava (*Feijoa sellowiana*). Although this is an older tree (c. 1940–1950), there is nothing significant about the variety according to Nancy Garrison, Santa Clara County Cooperative Extension Specialist, Retired (pers. comm. 2005). There are also remains of rose-family fruit tree varietal plantings (apricot, cherry, prune plum and French plum) which likely date to the 1940s. According to Clyde Elmore, former BAREC employee and UC Davis Cooperative Extension Weed/Horticulture Specialist, Retired, most of these plantings were removed over the years (pers. comm. 2005). Several of the remaining trees are in poor condition because they have not been maintained since the Agricultural Extension left the property. Other plantings onsite include a small vineyard dating to within the last 30 years, a row of walnuts (1960s), bamboo (1980s), crabapple trees (1980s), and a large rounded pine (1970s).

A grove of very large Brazilian pepper trees (*Schinus terebinthifolius*) and Chinese pistache (*Pistacia chinensis*), possibly planted for a street tree trial, are also onsite. According to Garrison, these trees are approximately 30 years old. A large avocado (*Persea Americana*) tree, approximately 40 feet tall, which produces a smooth-skinned variety, is considered potentially significant in that the specific variety has yet to be identified according to Garrison. This tree likely dates to the 1940s. It was asserted during the public comment process that there is a plum tree on the property that was thought to be one of the oldest plantings remaining onsite and which was used to propagate plum trees throughout the Santa Clara Valley; however the tree appears to have been planted in the 1940s, at approximately the same time when other plum trees were planted onsite and during a period when the region was becoming more

urban and beginning to lose its rural character. This tree is currently in poor condition (based on observations by an EDAW botanist). The locations of plantings on the property are depicted in Exhibit 4-16.

Historic Landscape Eligibility Assessment

The Santa Clara Gardens site does not appear to meet the criteria for consideration as an historic landscape. Furthermore, the research conducted as part of the historic landscape assessment of the property led to the determination that the site lacks sufficient integrity to be considered eligible for listing in association with the property's earliest history; that is, private ownership and use until 1908, Osborne Hall until the early 1920s, and the Women's Relief Corps beginning in 1921.

Research indicates that Dr. A.E. Osborne was a Superintendent of the California Home for the Care and Training of Feeble-Minded Children, however that facility was located elsewhere. Osborne's private sanitarium was not established on the project site until approximately 1910. Although links exist between the property and individuals (Dr. Osborne) and institutions (Osborne Hall / Women's Relief Corps) that may have played an important role in local history can be made through the historical record (Criteria 1 and 2 of the CEQA eligibility requirements), the site, in its current condition and configuration, does not reflect that association because the property does not retain the physical evidence of that time period which is necessary to convey an association with those facilities. The buildings on the property utilized by Osborne's facility and the Women's Relief Corps were demolished in the 1960s (Hill 2002; McCray 2005). The remnant of a possibly historic sidewalk, noted within one secondary source (asserted in McCray 2005), was observed by the study team as currently being adjacent to and within the site boundaries abutting the Veteran's building south of the property (Exhibit 4-16). Even if this sidewalk remnant is associated with Dr. Osborne's facility, it is only a fragment of a once-larger structure and has at least partially been covered by later pavement.

The only possible consideration for an eligible historic landscape lies with the project site's use as the agricultural research station. In this regard, several factors were considered, including the retention of original characteristics during the time UC began using the property beginning in 1928. A property is generally not considered to be a possible historic resource until it is over 50 years old. Using this criteria, the potential period of significance of the agricultural research station is 1928 to 1955. This 50-year mark designates the standard minimum age for the consideration of historic properties. Preservation standards that generally look at 50 years as having adequate time for evaluation and consideration of whether they are historically significant.

The majority of the existing buildings on site were constructed in the 1960s and 1970s, and therefore post-date the 50 year mark. The two buildings on the property that date to UC's early presence on the site (1928), were previously evaluated and determined ineligible for the CRHR due to their lack of distinctive architectural characteristics (Criterion 3), and the facility having been "one of the smaller research stations in the University system....conducting research typical of other stations" (Hill 2002). It was determined by Hill, in consultation with



LEGEND

Project Site

Source: City of Santa Clara 2001

Project Vicinity

Santa Clara Gardens Development Project Draft EIR

X 3T008.01 3/06

EXHIBIT 4-16



EDAW

agricultural historian Ann Scheuring, that the BAREC station did not play an important role in California and regional agriculture. It is therefore unlikely that the property has the potential to yield significant scientific or historical information (Criterion 4).

Similar property types within California predate the BAREC facility, and are considered to have played greater roles within the context of agricultural extension centers. The Regents of the University of California at Berkeley, for example, formally established an Agricultural Experiment Station of 40 acres in 1872, and founded a station on the campus in 1912. The Berkeley station, aside from being the first in the state of California, is known for its early collection and study of exotic botanical plant specimens. That particular station is one component of an overall designed historic landscape on the campus (UC Berkeley 2004). In terms of the established eligibility considerations, this indicates that the BAREC property is not the oldest or best representation of its kind.

Research conducted in conjunction with the onsite vegetation indicates that the property was once more heavily planted, and that the existing varieties are common to the area. The avocado tree may be of interest; however the property as a whole lacks significance within the agricultural extension center context. As was previously mentioned, the BAREC facility is considered to have been one of the smaller extension centers, conducting research typical to that being conducted at many other centers. The BAREC facility does not appear to have played an important role in the state's agricultural development, and therefore does not appear to meet the criteria for eligibility to the CRHR as a historic landscape.

California Historical Landmark Assessment

California Historical Landmarks are sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value.

As discussed above, the project site does not fulfill the eligibility criteria above. The earliest Home for Feeble-minded Children was located in Vallejo and only moved to Santa Clara in 1886; there is no evidence that this early incarnation was located at the Santa Clara Gardens site. The subsequent Osborne Sanitarium, not established until 1908, was a private sanitarium with no particular distinctions other than the association with Osborne himself. While Osborne apparently distinguished himself during his stint as Superintendent of the Home for Feeble-minded Children, that was on the 51-acre parcel elsewhere in Santa Clara and then in Sonoma County. The Women's Relief Corps use of the property is well documented; however it was not the only one of its kind and left no surviving architecture. The oldest remaining structures (the 1928 office/lab and shed) have been evaluated separately (Hill 2002) and were not found to be significant examples of the architecture of the period.

California Point of Historical Interest Assessment

California Points of Historical Interest are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value.

These are the same criteria as for a California Historical Landmark except for the change in emphasis to a smaller geographic region. For the reasons enumerated above, the project site does not fulfill the eligibility criteria to be considered as a California Point of Historical Interest.

4.11.2 ENVIRONMENTAL IMPACTS

THRESHOLDS OF SIGNIFICANCE

The project would result in a significant impact to cultural resources if it would:

- ▶ cause a substantial adverse change in the significance of a historical resource as defined in Section 21083.2 of CEQA or a unique archaeological resource as defined in Section 15064.5 of the State CEQA Guidelines, or
- ▶ disturb any human remains, including those interred outside of formal cemeteries.

IMPACT ANALYSIS

**Impact
4.11-1**

Impacts to Known Prehistoric Cultural Resources. *No prehistoric cultural resources are known to occur on the project site or in the project area. Therefore, this would be a less-than-significant impact.*

Based on the records search and project site survey, there are no known prehistoric cultural resources on the project site or in the nearby project vicinity. As a result, the project or the development option would not disturb or destroy any known prehistoric cultural resources. This would be a less-than-significant impact.

**Impact
4.11-2**

Impacts to Historic Resources. *Evidence indicates that individual structures and features on the site are not eligible for listing on the California Register of Historical Resources (CRHR). Although there are documented past developments and uses of the property, there are no physical remnants of the earliest uses. The structures that do remain do not meet the CEQA definition of historical resources. Therefore, changes to these resources would be a less-than-significant impact.*

A number of past uses related to historic-era uses of the site have been noted in the project area, including the Osborne Sanitarium, the Women's Relief Corps Home, and the University of California Agricultural Extension. The collective uses (i.e., research activities, care facilities, women's relief corps.) and history of the property, while interesting, do not have any potential historical significance as a cultural landscape or geographic area based on the importance of past uses. None of these uses meet the criteria for significance that would render the property

eligible for listing to the CRHR or identification as a California Historical Landmark or a California Point of Historical Interest. As described in the Methodology section, although links exist between the property and individuals (Dr. Osborne) and institutions (Osborne Hall/ Women's Relief Corps) that may have played an important role in local history can be made through the historical record, the site, in its current configuration, does not reflect that association because the property does not retain the physical evidence of that time period which is necessary to convey an association with those facilities. Further, similar property types within California predate the BAREC facility, and are considered to have played greater roles within the context of agricultural extension centers (e.g., UC Berkeley) and indicated that the BAREC property is not the oldest or best representation of its kind. Extensive research also indicated that the BAREC facility did not play an important role in the state's agricultural development, and would not meet the criteria for eligibility to the CRHR as a historic landscape. Any structures related to the Osborne Sanitarium or the Women's Relief Corps Home have been razed. Two older structures related to the agricultural station have been separately evaluated, as well as examined in combination with the experimental plantings that remain in order to determine whether this use of the property could be viewed as a rural historic landscape. The experimental agriculture practiced at the BAREC facility means that plantings were regularly replaced over time, leaving little that might be associated with the two 1928 structures. Existing buildings on the project site were determined to be ineligible for the CRHR due to their lack of distinctive architectural characteristics, and the BAREC facility having been one of the smaller and younger research stations in the University system. The three oldest-appearing trees, the avocado, Chinese pistachio, and plum tree do not hold any particular significance other than perhaps being planted approximately 60 years ago (i.e., in the 1940s). The project site or its features would not be eligible for listing as a California Historical Landmark or Point of Historical Interest because it does not meet CRHR eligibility criteria (described above). As a result, the project would not disturb or destroy any known significant cultural resources. This would be a less-than-significant impact.

**Impact
4.11-3**

Impacts to Previously Undiscovered Cultural Resources. *Development of the site may disturb previously undiscovered or unrecorded archaeological sites. Disturbance of these resources would be a **potentially significant impact**.*

No archaeological resources are known to occur on the project site or in the nearby project area. However, there may be unidentified archaeological resources related to the historic use of the property that would be uncovered during grading and construction operations. These might include privies, wells, or remnant landscape features. Disturbance of these resources would be a potentially significant impact.

**Impact
4.11-4**

Disturbance of Previously Undiscovered Human Remains. *The project or development option could disturb previously undiscovered human remains. This would be a **potentially significant impact**.*

No human remains are known to occur on the project site. However, it is possible that unidentified archaeological resources, including human remains, may be uncovered during

grading and construction operations. Disturbance of these resources would be a potentially significant impact.

4.11.3 MITIGATION MEASURES

No mitigation is necessary for the following less-than-significant impacts.

4.11-1: Impacts to Known Prehistoric Cultural Resources.

4.11-2: Impacts to Historic Resources.

Mitigation is recommended for the following potentially significant impacts.

4.11-3: Impacts to Previously Undiscovered Cultural Resources. In the event any archaeological resources are discovered during site earthwork activities, all earthwork activities in the vicinity of the find shall halt and the applicant shall retain the services of a qualified archaeologist to evaluate the resources found onsite. The archeologist shall document their provenience and nature (through drawings, photographs, written description, etc., as necessary). The monitor will then direct the work to either proceed if the find is deemed to be insignificant or is adequately documented and resolved, or continue elsewhere, as appropriate, until adequate mitigation measures are adopted or the matter is otherwise resolved to the satisfaction of the City.

Once a find has been made and deemed to be significant, the archaeologist will then submit a Treatment Plan (if one was not previously approved) to the City. The key elements of a treatment plan shall include the following:

- a) Identify scope of work and range of subsurface effects (include location map and development plan).
- b) Describe the environmental setting (past and present) and the historic prehistoric background of the parcel (potential range of what might be found).
- c) Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information).
- d) Detail field strategy used to record, recover, or avoid the finds (photos, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals.
- e) Analytical methods (radiocarbon dating, obsidian studies, bone studies, historic artifact studies [list categories and methods], packaging methods for artifacts, etc.).

- f) Report structure, including a technical and layman's report and an outline of document contents in one year of completion of development (provide a draft for review before a final report).
- g) Disposition of the artifacts.
- h) Appendices: site records, update site records, correspondence, consultation with Native Americans, etc. The need for a burial agreement plan for Native American burials can be incorporated into Treatment Plan but must be done in consultation with MLD. Plan should detail goals, methods, and disposition of remains and associated artifacts.

4.11-4: Disturbance of Previously Undiscovered Human Remains. If human remains are encountered during project construction, the requirements of California Health and Safety Code Section 7050.5 and Section 7052 and California Public Resources Code Section 5097 will be met. The California Health and Safety Code requires that if human remains are found in any location other than a dedicated cemetery, excavation is to be halted in the immediate area, and the county coroner is to be notified to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American interment, then the Native American Heritage Commission shall be consulted to identify the most likely descendants and the appropriate disposition of the remains.

4.11.4 LEVEL OF SIGNIFICANCE AFTER MITIGATION

After implementation of the above mitigation measures, the impacts to previously undiscovered cultural resources (Impact 4.11-3), and human remains (Impact 4.11-4) would be less than significant.

4.12 POPULATION/HOUSING

The purpose of this section is to determine the project's impact on population and housing demands in the local area. This chapter is based on population and housing projections provided by the City of Santa Clara, the Association of Bay Area Governments (ABAG), and the California Department of Finance.

4.12.1 ENVIRONMENTAL SETTING

POPULATION

The 2000 Census reported a population of 102,361 persons in the City of Santa Clara (U.S. Census Bureau 2003). Projections developed by ABAG indicate that the City's population would be approximately 115,700 by 2010 and 134,000 by 2025 (ABAG 2002). This would be an approximate 24% increase in the City's population over the course of 25 years. The City's senior adult population (age 65 and older) in 2000 was approximately 10,900 (City of Santa Clara 2002). Santa Clara County's senior adult population is projected to increase by a 43% by 2025 (ABAG 2002). Although no projections are available for the City, it is likely that the senior adult population would see increases of 30 to 40% consistent with national averages.

HOUSING

The City of Santa Clara housing mix in 2000 consisted of (Santa Clara County 2002b):

- ▶ 17,633 single-family detached units (44.5% of the City's housing),
- ▶ 3,585 single-family attached units (9.1% of the City's housing), and
- ▶ 18,384 multiple family or other units (46.4% of the City's housing).

Housing costs in Santa Clara County are among the highest in the San Francisco Bay area, with a median value of \$446,400 (U.S. Census Bureau 2003). The median housing price for a single-family home in the City of Santa Clara in July 1997 was \$319,950 and increased to \$561,350 by May 2001 (City of Santa Clara 2002). This was an increase of nearly 75% over a 4-year period. More than 60% of all housing units in the City are 30 years old or older—an age at which most units need major improvements or repairs (City of Santa Clara 2002).

There are currently four below-market senior housing projects in the City, which provide 408 apartment units (City of Santa Clara 2002). Senior housing facilities in the City consistently maintain long waiting lists with wait times up to 2 years. The City has recently approved and/or built three new senior housing developments: an 80-unit assisted living complex planned on Pacific Drive, a 100-unit public housing development targeting very low income seniors as part of the overall Agnews Rivermark development, and a 42-unit affordable senior development on El Camino Real. These developments received funding assistance from the City's Redevelopment Agency.

REGULATORY BACKGROUND

Housing Element

In August 2002, the State of California Housing Policy Division, Housing and Community Development Department, certified the Housing Element Update for the City of Santa Clara. The Housing Element describes the City's vision and strategy for affordable and market rate housing over an 8-year planning period (horizon year is 2010).

The City's Housing Element provides an analysis of housing development potential and constraints. In the Housing Element, 72 sites are identified as being vacant or underutilized in their current capacity, and targeted by the City for residential development. The Santa Clara Gardens property was excluded from this list, but the City Council did approve a footnote to the table that states:

Santa Clara Gardens Boulevard is also designated for moderate density residential development. It is omitted from this table in anticipation of more detailed planning by the City in the near future. Its omission should not prejudice future land use decisions by the City, which considers this site an important opportunity for housing (City of Santa Clara 2002).

The City recognizes the need to rehabilitate existing housing and construct new housing to accommodate future population projections for the City. Less than 3% (313 acres) of land in the City is undeveloped and/or vacant, of which approximately 50% (154 acres) are identified for residential development. This acreage could accommodate a total of 4,105 units based on anticipated allowed densities (City of Santa Clara 2002). ABAG projects that 5,544 housing units would need to be developed between 2002 and 2006 to accommodate growth in the City during that period (City of Santa Clara 2002).

Community opposition to residential infill development at higher densities than surrounding development has increased (City of Santa Clara 1992). In response, the City revised its zoning to require that proposed high-density, multi-family developments meet design standards that consider the developments compatibility with surrounding land uses. These standards generally require the developments to provide increased buffers and setbacks between the development and surrounding land uses.

Policies and programs of the Housing Element applicable to the project include:

- ▶ **Policy C.** Promote compatibility between neighborhood developments,
- ▶ **Policy E.** Encourage the annual construction of the number of housing units necessary to meet the City's regional housing needs determination through housing finance and reducing constraints on the private housing market,
- ▶ **Policy G.** Encourage the building of higher density housing on appropriate vacant or underutilized (infill) land, and

- ▶ **Program 25.** Support development of low income housing alternatives, such as Single Room Occupancy (SRO) units, Senior Housing, Family Housing, etc.

4.12.2 ENVIRONMENTAL IMPACTS

THRESHOLDS OF SIGNIFICANCE

The project would result in significant population and housing impacts if it would:

- ▶ induce substantial population growth above planned levels, either directly or indirectly; or
- ▶ displace substantial numbers of existing housing or substantial numbers of people, necessitating the construction of replacement housing elsewhere.

IMPACT ANALYSIS

Impact
4.12-1

Induce Substantial Population Growth Above Planned Levels. *The proposed project would not induce substantial population growth above what is planned for in the City's General Plan. This would be a less-than-significant impact.*

The project includes the development of 110 single-family residences and 165 senior housing units. Based on these densities and using the City's population generation rate of 2.58 persons per household (pph), the project would generate a maximum of 710 persons (110 units x 2.58 + 165 units x 2.58) (Chen, pers. comm., 2003). This would be a less than 1% increase in the City's population. However, the project would likely generate fewer people as the senior housing units would typically house only one person per unit (total of 449 persons).

The City's General Plan estimated that the population in the City would grow by approximately 31% over a 25-year planning period. This growth and its associated environmental effects were evaluated in the City's General Plan EIR (certified in 1992). Although the project would provide new housing in the City, the City is currently operating under a housing shortfall. Further, the proposed project would not substantially increase population in the City above what was contemplated in the City's General Plan. This would be a less-than-significant impact.

Impact
4.12-2

Displace Existing Housing. *The project site has no existing housing. Therefore, neither the project nor the development option would result in the displacement of existing housing. No impact would occur.*

The project could demolish and remove all structures on the project site. None of these structures serve as housing, as all structures are associated with former agricultural operations (i.e., greenhouses, storage sheds). The project would not result in the displacement of existing housing. Instead, the project would provide new housing in the City. No impact would occur.

4.12.3 MITIGATION MEASURES

No mitigation measures are necessary for the following no impact and less-than-significant population and housing impacts.

- 4.12-1: Induce Substantial Population Growth above Planned Levels.
- 4.12-2: Displace Existing Housing or Population.

4.12.4 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The project's population and housing impacts (Impact 4.12-1 and 4.12-2) would be less than significant. No mitigation is required.

APPENDIX L

CULTURAL DATA

Criteria for Local Significance
Archaeological Survey Report
Historic Evaluation/Architectural Survey Report
Deeds of Transfer
Appropriations and Statutes for the Women's Relief Corps Home

Criteria for Local Significance

CRITERIA FOR LOCAL SIGNIFICANCE

Adopted by City Council on April 8, 2004

Qualified Historic Resource

Any building, site, or property in the City that is 50 years old or older and meets certain criteria of architectural, cultural, historical, geographical or archeological significance is potentially eligible.

Criterion for Historical or Cultural Significance

To be historically or culturally significant, a property must meet at least one of the following criterion:

1. The site, building or property has character, interest, integrity and reflects the heritage and cultural development of the city, region, state, or nation.
2. The property is associated with a historical event.
3. The property is associated with an important individual or group who contributed in a significant way to the political, social and/or cultural life of the community.
4. The property is associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.
5. A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.
6. A notable historical relationship between a site, building, or property's site and its immediate environment, including original native trees, topographical features, outbuildings or agricultural setting.

Criterion for Architectural Significance

To be architecturally significant, a property must meet at least one of the following criterion:

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.
2. The property is identified with a particular architect, master builder or craftsman.
3. The property is architecturally unique or innovative.
4. The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.
5. The property has a visual symbolic meaning or appeal for the community.
6. A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.
7. A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

Criterion for Geographical Significance

To be geographically significant, a property must meet at least one of the following criterion:

1. A neighborhood, group or unique area directly associated with broad patterns of local area history.
2. A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.
3. An intact, historical landscape or landscape features associated with an existing building.
4. A notable use of landscaping design in conjunction with an existing building.

Criterion for Archaeological Significance

For the purposes of CEQA, an "important archaeological resource" is one which:

1. Is associated with an event or person of:
 - A. Recognized significance in California or American history, or
 - B. Recognized scientific importance in prehistory.
2. Can provide information, which is both of demonstrable public interest, and useful in addressing scientifically consequential and reasonable or archaeological research questions;
3. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind;
4. Is at least 100 years old and possesses substantial stratigraphic integrity; or
5. Involves important research questions that historical research has shown can be answered only with archaeological methods.

Definition of Integrity

Integrity refers to a property's ability to convey its significance. Significance is conveyed by the retention of a resource's visual and physical characteristics and its surroundings. The National Register criteria recognize seven aspects to integrity. The seven aspects of integrity are location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity, a property will always possess several, and usually most, of these aspects.

Properties must have sufficient integrity in addition to meeting the criterion for significance in order to be considered a qualified historic resource.

Archaeological Survey Report



holman & ASSOCIATES

Archaeological Consultants

"SINCE THE BEGINNING"

3615 FOLSOM ST. SAN FRANCISCO,
CALIFORNIA 94110 415/550-7286

Shannon George
Dave Powers & Associates
1885 The Alameda
San Jose, CA 95126

October 9, 2002

Dear Ms. George:

RE: ARCHAEOLOGICAL LITERATURE REVIEW AND FIELD INSPECTION OF THE
WINCHESTER U.C. RESEARCH CENTER PROJECT AREA, SAN JOSE, SANTA CLARA
COUNTY, CALIFORNIA

At your request I have completed an archaeological field inspection and literature review for the approximately 17 acre project area located on the west side of North Winchester Boulevard at Dorcich Street in San Jose, Santa Clara County, California. No evidence of prehistoric or historic cultural resources were noted during the field inspection. This report contains a summary of information gained to date.

PROJECT DESCRIPTION

The proposed project area consists of an approximately 17 acre rectangular shaped parcel of land located on the west side of Winchester Boulevard between the major arteries of Stevens Creek Boulevard and Forest Avenue in San Jose. Located on the San Jose West U.S.G.S. map of the area, the actual borders of the property are Winchester on the east, housing bordering Dorcich Street on the south, houses bordering Henry Avenue on the west, and houses along Forest Avenue on the North. Currently the parcel is being used for agricultural purposes: a main office and a series of sheds/barns are found at the eastern end of the project and appear to date from the 1950s to more recently; the remainder of the acreage is comprised of fallow 1 acre or less plots, several orchards, an area of bamboo and other area which contained plots of lawn turf, tomatillos, tomatoes, garlic and other crops.

Of the entire area, approximately 60% of the ground surface was exposed enough to allow a visual inspection; the remainder is covered either by structures or vegetation dense enough to obscure the ground. The visible soil is fairly consistent throughout, consisting of a sandy silty gray loam with alternating areas of abundant naturally occurring gravels and other areas almost devoid of rock materials. This pattern seems to be natural and not the result of the importation of fill materials: the property is shown on the 1960 U.S.G.S. map as the Holderman

Sanitarium and comprising the exact amount of open space as the current users of the property, suggesting that there has been little land alteration in the 20th century other than the probable removal of some structures associated with the sanitarium when the use of the land changed.

ARCHIVAL RESEARCH

Prior to the actual field inspection, this author personally completed a literature review at the Northwest Information Center (NWIC, file no. 02-287) located at Sonoma State University to check for recorded archaeological sites in or immediately around the project area, and any indications that the property had been formally surveyed in the past.

There are no historic or prehistoric archaeological sites recorded inside or within 500 feet of the project area; the nearest historical landmark is the Winchester Mystery House located near Highway 280. Additionally there have been no archaeological surveys of the project area or of any of the properties surrounding it, probably because the subdivisions bordering the property and west of Winchester were probably in place by the end of the 1960s, well before CEQA requirements for cultural resource studies came into effect.

DESCRIPTION OF FIELD INSPECTION

The visual inspection of the project area was conducted by this author by walking transects sufficient to cover all open ground within the project area; as mentioned above, approximately 60% of the ground surface was visible at the time of the field inspection during the first week of October. The ground was inspected for the typical indicators of aboriginal use or occupation of this portion of the Santa Clara Valley: darker than surrounding soils, evidence of fires (ash, charcoal, fire altered rock or soils), concentrations of stone, bone or fresh water shellfish, and artifacts of these materials.

The concentrations of natural gravels found mainly in the northern half of the property consist of a mixture of small polished pieces of sandstone, basalt and cherts. Numerous examples of these materials were inspected for any signs of utilization or deliberate modification, but none were found, other than classic examples of materials broken or scraped by plows and disc harrows over the years of agricultural use.

FINDINGS/RECOMMENDATIONS

In summary, no evidence of aboriginal use and/or occupation of the project area was noted during the field inspection, and no concentrations of historic debris were noted which may have been associated with the former use of the parcel as a sanitarium. Other than the construction of the farm support buildings and the preparation of plots of land for experimental crops, the property has seen very little historic land alteration.

There is however, some possibility that future construction activities to develop the site

could turn up materials obscured by the vegetation and buildings on the property, or more deeply buried by the buildup of silty soils found there. This report does not recommend that mechanical subsurface testing be undertaken and does not recommend that construction activity be monitored by an archaeologist. Construction crews should however be alerted to the potential for the discovery of buried archaeological materials and should be instructed to stop work within 50 feet of the discovery of any of the site indicators described in this report until they have been inspected by a qualified archaeologist.

If it is discovered that an intact archaeological deposit exists in areas which will be impacted by future construction related grading or trenching, it will be the project sponsor's obligation to submit a proposal for evaluative testing of the deposit as required under CEQA guidelines before any program for the mitigation of impacts to significant archaeological deposits can be adopted. Mitigation takes the form of continued archaeological monitoring and the recording and/or removal of significant archaeological materials or information for later analysis, and could include a program of hand excavation of portions of the archaeological site in impact areas.

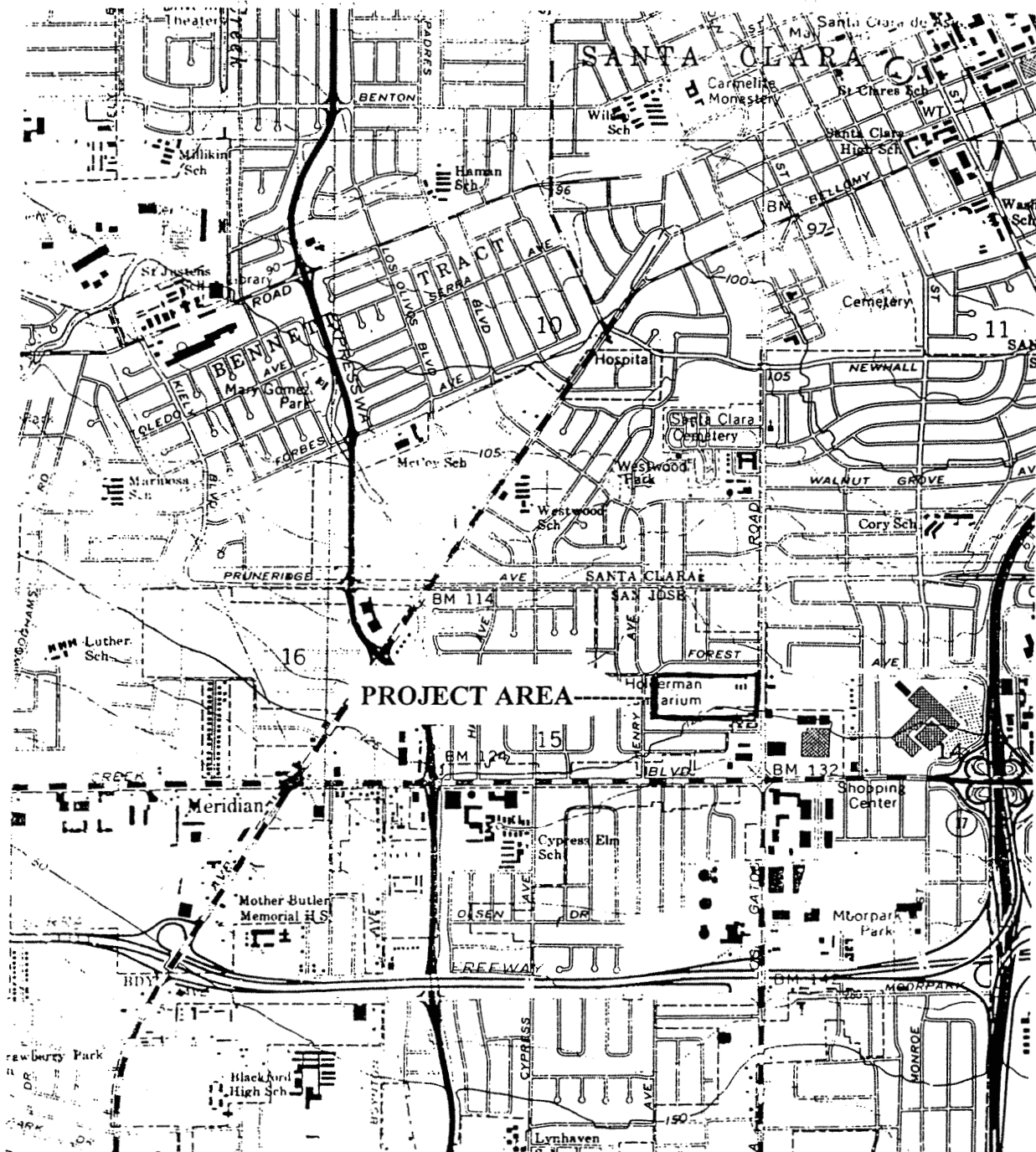
Sincerely,

A handwritten signature in black ink, appearing to read 'Miley Paul Holman', with a long horizontal flourish extending to the right.

Miley Paul Holman
Holman & Associates

WINCHESTER U.C. RESEARCH CENTER PROJECT AREA
SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA

SAN JOSE WEST U.S.G.S MAP



Historic Evaluation/Architectural Survey Report

HISTORIC EVALUATION REPORT

**BAY AREA RESEARCH & EXTENSION CENTER
Office of Veterans Affairs**

68 & 90 NORTH WINCHESTER BOULEVARD

CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA

FOR

**DAVID J. POWERS & ASSOCIATES
1885 The Alameda, Suite 204
San Jose, CA 95126**

ATTN: Ms. Shannon George

BY

**WARD HILL
CONSULTING ARCHITECTURAL HISTORIAN
3124 Octavia Street
San Francisco, CA 94123**

October, 2002

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Attachments

DPR 523 Forms

Primary Record & Building, Structure & Object Record
90 North Winchester Boulevard
68 North Winchester Boulevard

I. INTRODUCTION

The project proposes residential rezoning of an 18 acre parcel owned by the State of California. The current uses of the property are the 17.5 acre Bay Area Research and Extension Center (BAREC) property, an agricultural research station of the University of California, at 90 North Winchester Boulevard, and a Department of Veteran's Affairs office building at Winchester Boulevard. The historic name of the BAREC property is the University of California Deciduous Fruit Field Station.

Mr. Ward Hill¹, consulting Architectural Historian, conducted a detailed survey of the buildings on the project site October 7, 2002. The survey identified nine buildings on the project site. The buildings on the project site include a lab/office building, shop, greenhouses and related structures on the BAREC property. The Office of Veterans Affairs building is modern building dating from 1959. During the survey, Mr. Hill physically examined and photographed the exterior and interior of the BAREC buildings in order to prepare written descriptions, noting exterior and interior alterations.

Mr. Hill conducted archival research conducted during October, 2002. The research concentrated on the history of the BAREC operation and the University of California Agricultural Extension. Research was also conducted on the history of the City of Santa Clara for the historic context statement. Archival research was conducted in local repositories of historical records, including the the Biosciences Library and the Bancroft Library, University of California, Berkeley; Local History files and the Santa Clara County Historical and Genealogical Society collection, Santa Clara City Library; the California Room at the Martin Luther King, Jr. Public Library, San Jose, the archives of San Jose Historical Museum, San Jose, in addition to local historical materials available in Mr. Hill's personal collection of historical materials. Fred Perry and Luzanne Martin with the University of California Research and Extension Centers Administration Office, Davis, California provided valuable background on the history of BAREC property from their files. Mr. Hill also interviewed Edwin Amstutz, brother of Alfred Amstutz, ex-superintendent of the BAREC operation and Ann Schuering, a noted expert and writer on the history of California agriculture.

The buildings on the project site have not been previously evaluated under any local, state or federal historic designation criteria. The following historic evaluation was conducted as per the requirements of the California Environmental Quality Act (CEQA). For purposes of CEQA compliance, an historic resource is a resource listed in, or determined eligible for listing in, the California Register of Historical Resources. None of the buildings on the project site appear to be eligible for the California Register of Historical Resources. Consequently, the proposed project will not have a significant effect on historic resources.

¹ Mr. Hill (M.A. Architectural History, University of Virginia, 1983) has worked as an architectural historian and in the historic preservation field for 18 years. He has completed numerous reports evaluating historic buildings under both CEQA and Section 106 of the National Historic Preservation Act.

II. HISTORICAL BACKGROUND

General Background

The Spanish and Mexican Period

Father Junipero Serra founded the original Mission Santa Clara de Asis on the banks of the Gaudelupe River in January, 1777. The present location is near the Central Expressway and De La Cruz Boulevard in Santa Clara. The *Pueblo de San Jose de Guadalupe* was established in November 1777 as the first civic settlement in Alta California. The mission was the eighth of the 21 missions founded during the Spanish Period. A flood in 1779 destroyed the first mission. The padre moved the mission to what is today the University of Santa Clara campus. An earthquake in 1818 destroyed the second mission. The third mission church was built in 1822 on its current site on the University of Santa Clara campus. This mission was partially rebuilt after the earthquake in 1868. Destroyed by fire in 1926, the third mission was replaced with the reconstruction extant today.

The Mexican revolt against Spain (1822) followed by the secularization of the missions (1834) changed land ownership patterns in the Santa Clara Valley. Mission Santa Clara was secularized in 1836. Only 300 Indians lived at the mission by 1839. The Spanish philosophy of government was directed at the founding of presidios, missions, and secular towns with the land held by the Crown, whereas the later Mexican policy stressed individual ownership of the land (Findlay 1980:6). During the Mexican Period, vast tracts of land were granted to individuals, including former Mission lands which had reverted to public domain. In the Santa Clara Valley, 17 parcels were granted from Pueblo Lands, and 13 from the lands of Mission Santa Clara. In 1844, James Forbes received a grant for *El Potrero de Santa Clara*, the mission land bounded by the Guadalupe River and The Alameda. The general trend for granting these lands was to give away the land farthest from the Pueblo and Mission first. Each grant also usually contained both valley and uplands acreage as well as access to a water supply (Broek 1932:44-45).

The waterfront of the *Embarcadero de Santa Clara* (later Alviso), originally developed to allow the early Spanish settlements water access, functioned as one of the foremost points of access for the trade that coursed up and down the Guadalupe River. Native Americans were employed in the trade and often manned large boats to reach ships at anchor to exchange hides and tallow, lumber, quicksilver and agricultural products for imported trade goods. Hides and tallow, and later ore from the New Almaden Mines were loaded on rafts or other flat boats and shipped down the Guadalupe.

American Period

In 1848, California became a United States territory as a result of the Treaty of Guadalupe Hidalgo ending the war with Mexico. California was not formally admitted as a state until 1850. After California was admitted as a state, Santa Clara County was one of the original 27 counties

created by the California legislature. 1848 was also the year of the Gold Rush that brought a massive influx of immigrants to California from all parts of the world. California's 1848 population of less than 14,000 (exclusive of Indians) increased to 224,000 in four years. With the beginning of the American period, the population explosion resulting from the Gold Rush created a market for a wide range of agricultural products. As more and more gold seekers became discouraged with mining, they turned to farming as a livelihood. Farmers started to raise crops and livestock for sale, not just to be self-sufficient.

The population of the Santa Clara Valley expanded as a result of the Gold Rush (1848), followed later by the construction of the railroad to San Francisco (1864) and the completion of the transcontinental railroad in 1869. Throughout the late nineteenth century in the Santa Clara Valley, rancho, Pueblo, and mission lands were subdivided as the result of population growth, the Anglo-American takeover, and the confirmation of property titles. Prior to the legal resolution of titles, the transfer of real estate was extremely risky. Large cattle ranches were converted to farming varied crops, and this agricultural land-use pattern continued throughout the American Period.

Upon the transfer of California government from Mexico to the United States in 1848, American settlers in Santa Clara promoted a survey of the town on the land adjoining the mission in the typical American grid pattern. Pioneer William Campbell parceled the land into lots of 100 square yards in 1850. The grant of a lot came on the condition that a house would be built in the next three months. The area included the original grid about 2 miles long and 1.5 miles wide. The town of Santa Clara was incorporated in July, 1852. The California legislature increased Santa Clara's town limits by 1,950 acres in 1856.

Santa Clara was the site of two significant early educational institutions in the California. The Catholic Archbishop in San Francisco instructed the Jesuit priest Father Nobili to renovate the deteriorated mission buildings into a college. Santa Clara College had 12 students when it opened in 1851. The University of the Pacific opened in Santa Clara in 1852 (it moved to San Jose in 1871, than later to Stockton).

The first major business in Santa Clara was the commercial hide tanner Wampach Tannery, established in 1848. The business became Eberhard Tannery in 1866 after its purchase by Jacob Eberhard. The company made fine leather goods in Santa Clara until it closed in 1953. Santa Clara also had a number of large seed farms such as J.M Kimberlin & Company and R.W. Wilson Seed Company, later Ferry Morse, one of the world's largest seed producers. Founded in 1874, the Enterprise Mill & Lumber Company became the Pacific Manufacturing Company in 1880 after its acquisition by James Pierce. Pacific Manufacturing was the region's largest lumber manufacturer. Other Santa Clara businesses in the 1870s included the Cameron Hotel, the Bank of Santa Clara and the town first newspaper, *The Santa Clara Echo* (Thompson & West 1876:15).

In the early American Period, the main agricultural product in California was wheat and the type grown in the Santa Clara Valley was considered to be higher quality than other areas of California. Santa Clara County's wheat production increased from 600,000 bushels to a peak of almost 3 million bushels in 1878. Wheat farming declined in California by the 1880s because yields dropped from not rotating crops and the development of competing wheat growing areas like Australia and Argentina (Hilbert and Lewis 1984:2). The development of irrigation and new transportation systems in California also led to wheat being replaced by more lucrative crops, like fruit and vegetables. The opening of the transcontinental railroad also made it easier to ship fresh and canned products to the major cities in the east coast.

The drop in wheat production coincided in Santa Clara County with a shift to fruit growing as the basis of the local agricultural economy. Horticulture had early roots in San Jose with the work of Louis Pellier, Antoine Delmas and William Daniels in developing orchards and fruit varieties for the growing conditions. The 1853 Pioneer Horticultural Society founded in San Jose provided a forum for nurseryman to meet and to promote of local horticulture. The First State Agricultural Fair was held in 1856 in San Jose with the Santa Clara County orchardists winning most of the awards. In the 1870s, prunes became the predominant crop in the Santa Clara Valley, with other fruits, like apricots and cherries, and grape vineyards, also contributing to the economy. Dried fruit production exceeded fresh fruit because of its ease of shipping and low spoilage. Both Santa Clara and Campbell vied for the title of the Prune Capitol of the World. The fruit canning industry began in 1871 when Dr. James Dawson founded the area's first commercial cannery, later known as the San Jose Fruit Packing Company. With the numerous orchards near Santa Clara, fruit canning became a major industry with A. Block Fruit Company one of the largest.

Santa Clara had a population of 3,000 in 1880. In 1885, the California Legislature established Agnew State Hospital, the first state hospital for caring for the mentally ill, just north of Santa Clara in the town of Agnew (Santa Clara annexed this area in the 1950s). In 1889, the *Santa Clara Journal* published its first newspaper and in 1891, Santa Clara completed construction on a new city hall at Benton Street and Main. The city established its own electrical utility in 1896. The population of Santa Clara increased to 3,650 by 1900. The most serious damage from the 1906 earthquake was to Agnews State Hospital where 112 patients died. The buildings had to be largely rebuilt because of earthquake damage. The Pacific Manufacturing Company, however, prospered after the earthquake, supplying lumber to rebuild the extensive devastation in San Francisco. The population of Santa Clara increased to 4,348 as many San Francisco residents fled to the surrounding towns.

In 1912, Santa Clara College changed its name to the University of Santa Clara. Santa Clara built a new Town Hall at Franklin and Washington Streets in 1913. The town library moved to the new Town Hall. By 1920, the town of Santa Clara's population reached 5,220. In 1927, the town of Santa Clara became officially the City of Santa Clara. The City's population was 6,300 in 1930.

Food processing was still the main source of livelihood into the Depression years of the 1930s. The Santa Clara Valley had 120,000 acres in prunes worth \$ 15 million, and the dehydrators produced 100 million tons a year (Christiansen et al 1996:159). The City of San Jose alone had 22 canneries in 1930, most locally owned, and 13 fruit drying plants. Migrant workers picked the fruit and seasonal cannery workers canned it for shipment all over the world. The vast majority of orchards in the valley were 100 acres or less, tended by families from Southern European countries, some of who had their fruit stands. The relationship between growers and processor was often hostile during the 1930s, with many growers forming cooperatives to negotiate prices with the canneries. In 1939, the growers went on strike against the canneries protesting the low prices offered for their fruit. The cannery workers went on strike in 1931 because of wage reductions.

A major change in the focus of the Santa Clara Valley economy occurred in 1933. When the Naval Air Station in Sunnyvale opened in 1933, a variety of other military related industries started up in the area. The military presence also helped reduce the impact of the economic downturn of the 1930s on the local populace. The beginning of World War II brought a huge influx of population and investment by the federal government because of Moffitt Field or other military research facilities. The federal government invested \$ 35 billion in California during the War years. The Depression and war eras “marked the beginning of economic dependence on military contracts and the business of war” (Ignoffo 1994: 60). Originally producing equipment for the canning industry, the Food Machinery Corporation (FMC) in San Jose shifted its focus to the production of military equipment. The company remained a supplier to the Defense Department after the War.

The change in the economic focus led to eventual demise of the agricultural economy and the rise of the electronics industry in Santa Clara County. The economic change led to the opening of the region’s first major airport, San Jose Municipal Airport near Santa Clara, dedicated February 1, 1949. The expanding urbanization of Santa Clara in the 1940s and early 1950s helped spur the development of new housing for a non-farm population of working families, cannery and railroad workers, plumbers, carpenters, drivers and construction workers. In 1940, Santa Clara County had 150,000 acres of orchards and a population of 174,949; by 1950, the population rose to 289,000 while orchard acreage decreased to 86,000 (Loomis 1985:28). The population of Santa Clara was 11,700 in 1950. During the 1950s and 1960s, many of City of Santa Clara industries with roots in the 19th century, such as Eberhard Tanning and Pacific Manufacturing, closed. The population of the City of Santa Clara reached 83,500 in 1966.

In recent decades, Santa Clara has become an urban center with multi-unit housing, commercial centers, and many growing businesses, such as Intel and 3Com, in the electronics industry as "Silicon Valley" has grown. The City of Santa Clara had a population of 93,600 in 1990. The Silicon Valley boom of the 1980s and 1990s has dramatically altered the regional landscape; industrial parks, commercial districts and housing subdivisions have taken the place of the orchards that once flourished in the project area and in the Santa Clara Valley as a whole.

Historic Background: University of California Agricultural Extension

Modern agricultural research had its origins in the 18th century Enlightenment belief in the human's ability to make progress through the rational application of the scientific method. Prior to the 18th century, agricultural practice had remained essentially unchanged since the period of the Roman Empire. In the United States, Thomas Jefferson and Benjamin Franklin both conducted experiments to improve various agricultural methods. Special groups in Europe and America investigating various agricultural problems formed in the 18th century to discuss and correspond about their experiments. Organized in 1785, the Philadelphia Society for Promoting Agriculture was the first society of its type in the United States. Agricultural societies numbered in the hundreds by the mid-19th century and state legislatures supported state boards of agriculture. Six states had farmer's institutes by the early 1860s.

The United States Department of Agriculture (USDA) was formed in 1862, the same year the federal Morrill Act passed providing federal land grants to each state for the endowment of at least one College dedicated to teaching of agriculture and the "mechanic arts". The University of California was created in 1869 (originally in Oakland, later in Berkeley) by state legislation to take advantage of the Morrill Act. Ezra Carr was the University's first professor of Agriculture, Agricultural Chemistry and Horticulture. In 1887, the Hatch Experiments Station Act established agricultural experiment stations in land grant colleges. During the 1890s, land grant colleges began to offer short courses and traveling schools to farmers to improve agricultural methods. Cornell University led the nation with extension projects with grape growers in New York in 1894 (Scheuring 1989: 8). In 1897, the University of California created the Department of University Extension in Agriculture with E.J. Wickson as director. The Agricultural Extension expanded its activities by offering correspondence courses on a variety of agricultural topics in 1903.

In 1909, a federal Commission on Country Life recommended a nation-wide extension system to bring the resources of the agricultural colleges to farmers. The Smith Lever Act of July, 1914 created a national system of county agricultural agents/advisors through the USDA and the sponsorship of the state land grant colleges. Anticipating the national act, the University established its Division of Agricultural Extension within its Department of Agriculture in May, 1914. B.H. Crocheron was the first Director. The University's agricultural division began its Research and Extension Center system to research regional problems in 1912. Under the Smith Lever Act, the first county farm advisors were in San Diego, San Joaquin and Yolo Counties. Their work was strictly educational and not regulatory. The USDA paid for 18 percent operating costs of the County Extension Cooperatives, the counties paid for office and clerical staff and the University paid for the balance (Anonymous 1964:CL3). The agricultural extension service and the university experiment stations work together as a team, with the station conducting research and the extension adapting it to local conditions. The Santa Clara County research center – known as the Deciduous Fruit Station - opened in 1920 on leased land in Mountain View (later moving to its current site in Santa Clara in 1928).

In 1934, the Agriculture Adjustment Administration (administered by the Extension) was formed to help farmers stabilize their incomes during the Depression. The program reduced production through agreements with farmers. As part of the war effort in the 1940s, the Extension produced brochures on blackout strategies for farm buildings, rural fire protection and home food production (Scheuring 1989:33). The post-World War II period was one of significant growth for the Extension as an array of new technologies was introduced, including drugs, chemical and machinery. By the 1960s, the Extension expanded its research and advising from commercial farmers to part-time farmers and non-farm audiences, including public land officials, turf growers, floriculturists, golf course managers and landscapers. In 1964, the Extension had 532 farm advisors and specialists, working in 50 general fields and in several hundred crops. The focus of the Experiment Stations has been on basic and long-term research while the Extension service engaged in adaptive fieldwork and immediate problem solving.

The University of California Deciduous Fruit Field Station, Santa Clara, California

Originally known as the University of California Deciduous Fruit Field Station, the Bay Area Research and Extension Center (BAREC) was established in the Santa Clara Valley in 1920 for investigating problems pertaining to the growth and care of deciduous fruits (Amstutz 1959). The station was planned to serve growers in California's central coast counties. The station initially leased 5 acres in Mountain View that existing buildings that could be converted to office and laboratory space. Dr. W.L. Howard was director. The station's early research focused on brown apricot scale control, the control of brown rot in apricots, irrigation and pruning methods and work on oakroot fungus. When the Mountain View station closed in 1926, the station moved to a temporary site in the Willow Glen area of San Jose.

The station moved to its permanent new location on the Santa Clara/Los Gatos Road (later Winchester Boulevard) in 1928. Dr. B. A. Rudolph, who worked as a plant pathologist at the station, became the superintendent. The University leased 13 acres here from the Woman's Relief Corps Home, a state institution providing housing to indigent widow and daughters of veterans of the Civil War. The State of California purchased this site in four parcels from A.E. Osbourne between 1921 and 1924. A new laboratory/office building and a shop/machinery storage building were completed in late 1928. Research activity at the declined in the late thirties as staff was moved to Berkeley and Davis. Apparently only Dr. Rudolph worked at the station during the war years.

In 1947, after the legislature closed the women's home to future applicants, several organizations tried to take control of the property, including the Santa Clara County Welfare Department. A number of agricultural organizations served by the experiment station lobbied for the continuance of the Deciduous Fruit Station because the Extension considered closing the Santa Clara station. The University opened and closed research stations regularly depending on the needs of different areas they served in the state (Scheuring 2002). After the University of California decided to keep the Santa Clara station operating, the state transferred 13 acres of the

property to the University in 1952. The Station's administration was also transferred to the Field Station Administration in Davis.

When Dr. Rudolph passed away in June, 1953, Alfred Amstutz became the station superintendent. Amstutz had worked at the station since it opened in 1928. According to Edwin Amstutz, Alfred Amstutz research focused on strawberry varieties and tomatoes for canning (Amstutz 2002). A short 1959 history of the Deciduous Fruit Field Station written by Alfred Amstutz indicated that the "successful projects completed at the station" included a spray program for apricot brown rot, control programs for weevils, aphids, cyclamen mite, walnut blight and oakroot fungus, production and release of 5 varieties of strawberries, ESSRR canning tomato resistant to verticillium; research on other plants attacked by verticillium. When the Women's Relief Corps buildings were demolished in 1963 five additional areas became part of experiment station.

The station research shifted to ornamental crops in the 1960s as subdivisions and office/research parks replaced Santa Clara County's fruit orchards. The original focus of the station (reflected in its name as a Deciduous Fruit Station) had obviously become obsolete. The California State Florist Association financed the construction of three greenhouses at the research station. The research in the greenhouses focused lilies and mums. The potting shed near the greenhouses dates from 1971. Research also focused in turf grass and landscape plants, like iceplant, oleander and pine. The station address changed from 125 to 90 North Winchester after the property was annexed by the City of Santa Clara in 1977. In 1995, the field stations became Research and Extension Centers so the Deciduous Fruit Station was renamed the Bay Area Research and Extension Center. The property recently transferred back to the State of California since the Extension decided to close BAREC.

III. DESCRIPTION OF HISTORIC RESOURCES

(the photos and sketch plan referenced are included with the attached DPR 523 forms)

The flat, rectangular shaped 17.5 acre Bay Area Research and Extension Center (BAREC) property has a tall hedge and wall largely shielding views of the property from North Winchester Boulevard. The majority of the property is planted with various crops. A cornfield occupies much of the central area. An apple orchard is at the southwest corner adjacent to a windrow of trees and a small vineyard. An area with turf grass is near Winchester Boulevard. The property is an area of suburban residential and commercial retail uses.

The BAREC property has its main building complex at the northeast corner. The main complex includes eight buildings. The original 1928 buildings on the site are the lab/office and the shop. The other six buildings – 3 greenhouses, restroom building, pesticide building and potting shed – are modern structures dating from the 1970s. Other structures include a small pump house, water tank and an open storage shed. About 200 feet southwest of the main complex are two additional buildings – equipment shed and storage building (both from 1977).

The paved driveway and exit leading to Winchester Boulevard are north and south of the office/laboratory building (Photo 1). A chain link fence, several small trees and a box hedge are in front of the office/lab and paved parking area is at the rear of the building. Several small shrubs and trees are adjacent to the side facades. The irregular plan office/lab has a hipped roof covered with asphalt shingles and stucco exterior walls (Photo 2). Stylistically, the building resembles a bungalow style house of the period. The single-story front section steps up to a two-story rear section. Structurally, the building is stud wall, wood-frame construction with a concrete foundation. A stucco chimney projects from the east slope of the roof. The building primarily has one over one, wood-sash, double-hung windows. The main entrance door on the east façade is below a small shed roof supported by square columns with classical moldings (Photo 3). The building has subsidiary doors, one on the south and two on the north facades (Photo 4). Three garage doors are on the west façade. From the front door, one enters a reception area adjacent to a small office. The original plans indicate seven laboratories (now used as offices) occupied most the interior space. The first floor has a large laboratory area north of the office (Photo 5) and a small lab south of the reception area. A stair from the reception area leads hallway opening to five small labs on the second floor. The labs have tongue and groove siding on the walls and ceiling and cabinets on one wall (Photo 6). The basement area includes a kitchen, garage and furnace room.

Directly west of the lab/office is the machinery storage/shop building (Photos 7 & 8). This simply detailed, single-story building has a double gambrel roof covered with asphalt shingles. The roof eaves have exposed rafters. The stud-wall, wood-frame is covered with exterior, horizontal wood siding (the original siding is covered with plywood on the south façade). The south half of the east façade has an open entrance for machinery. Adjacent to this opening on the north is the shop area with a sliding door constructed of vertical wooden tongue and groove with diagonal bracing. The same sliding doors are on the west and north facades. The west façade has three, four light windows. The interior of the shop space has unfinished horizontal board walls, exposed roof rafters and a concrete floor (Photo 9).

Just south of the machinery storage/shop building are the three modern greenhouses and the potting shed. The rectangular plan greenhouses are steel tube frame construction with fiberglass exterior cladding (Photo 10). The rectangular shaped potting shed is constructed of wood-frame and concrete block (Photo 11). The exterior cladding is vertical wood boards and fiber-glass. The other buildings on the property dating from the 1970s include the restrooms (Photo 12), the pesticide building (Photo 13), the open storage shed (Photo 14), the pump house and water tank (Photo 15) and the equipment shed (Photo 16).

IV. HISTORIC EVALUATION

California Register of Historical Resources

In September, 1992, Governor Wilson signed Assembly Bill 2881 which created more specific

IV. HISTORIC EVALUATION

California Register of Historical Resources

In September, 1992, Governor Wilson signed Assembly Bill 2881 which created more specific guidelines for identifying historic resources during the project review process under the California Environmental Quality Act (CEQA):

A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. For purposes of this section, an historical resource is a resource listed in, or determined eligible for listing in, the California Register of Historical Resources.²

Consequently, under Section 21084.1, an historic resource eligible for the California Register would by definition be an historic resource for purposes of CEQA compliance. The Final Guidelines for nominating resources to the California Register were published January 1, 1998. Under the regulations, a number of historic resources are automatically eligible for the California Register if they have been listed under various state, national or local historic resource criteria.³

In order for a resource to be eligible for the California Register, it must satisfy all of the following three criteria:

- A. A property must be significant at the local, state or national level, under one or more of the following four *criteria of significance* (these are essentially the same as National Register criteria with more emphasis on California history):
 - 1. the resource is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history and cultural heritage of California or the United States.
 - 2. the resource is associated with the lives of persons important to the nation or to California's past.
 - 3. the resource embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.
 - 4. the resource has the potential to yield information important to the prehistory or history of the state or the nation (this criteria applies

². California State Assembly, Assembly Bill 2881, Frazee, 1992. An Act to Amend Sections 5020.1, 5020.4, 5020.5, 5024.6 and 21084 of, and to add Sections 5020.7, 5024.1, and 21084.1 to, the Public Resources Code, relating to historic resources.

³. This aspect of the California Register criteria is not relevant to the buildings affected by this project since they have not been previously listed under any historic resource designations.

primarily to archaeological sites).

- B. the resource retains historic integrity (defined below); and,
- C. it is 50 years old or older (except for rare cases of structures of exceptional significance).

The California Register regulations define "integrity" as "... the authenticity of a property's physical identity, evidenced by the survival of characteristics that existed during the property's period of significance," that is, it must retain enough of its historic character or appearance to be recognizable as an historical resource. Following the National Register integrity criteria, California Register regulations specify that integrity is a quality that applies to historic resources in seven ways: location, design, setting, materials, workmanship, feeling and association.⁴ A property must retain most of these qualities to possess integrity.

The use of the phrase "... appears potentially eligible or not eligible" for the California Register is standard practice in an evaluation discussion. Only the State Office of Historic Preservation can make an actual determination of eligibility for the California Register.

The only BAREC buildings over 50 years old are the lab/office building and the shop. The other buildings date from the late 1960s or 1970s, thus are not of potential historic significance. The lab/office building retains a high level of historic integrity. The only exterior alteration is the ramp on the front façade. The original interior plan and finishes are intact. The shop building also does not appear to have been altered since originally constructed. The potential significance of these buildings is under California Register Criterion 1 (patterns of history etc) because of their association with agricultural history of the Santa Clara Valley and the research programs of the University of California. BAREC has always been one of the smaller research stations in the University system with a limited staff and budget. The research at the station from 1928 to 1952 (i.e. conducted over 50 years ago) was typical of other stations in the system, focusing on plant pathology issues to serve local commercial agricultural interests. According to agriculture historian Ann Scheuring, the University has opened and closed research stations on an on-going basis depending on the needs of the agricultural economy in the various parts of California. Based on the historical research conducted for this research, the Santa Clara research station does not appear the research have had exceptional importance in the history of California agriculture. The strawberry varieties developed at BAREC may have contributed to the cultivation of this fruit, but more research is needed to assess its significance. In conclusion, the lab/office and the shop do not appear to be sufficiently significant under Criteria 1, 2 or 3, thus the buildings do not appear to be eligible for the California Register. The office building at 68 North Winchester Boulevard is a modern structure occupied by the Office of Veterans Affairs that does not appear to be of historic significance.

⁴ The definition of integrity under the California Register follows National Register of Historic Places criteria. Detailed definitions of the qualities of historic integrity are in National Register Bulletin 15, *How to Apply National Register Criteria for Evaluation*, published by the National Park Service.

V. IMPACTS & MITIGATION

CEQA Guidelines define a “significant effect” as a project that leads to a “substantial adverse change” such as “...demolition, destruction, relocation, or alteration that impair the significance of the historic resource” is the equivalent of a significant environmental effect.

For purposes of this project, a significant effect would occur if the project would have an effect on one or more properties listed on, or potentially eligible for inclusion on the California Register of Historical Resources. Such an effect could occur through demolition of or other substantial adverse change to an individually listed or eligible property, those properties contributory to a district or through the implementation or other adverse effects as a whole in a manner such that the district’s integrity could be compromised or its eligibility diminished.

The Land Use Element of the *City of Santa Clara General Plan 1990-2005* has the following two policies regarding historic resources:

Policy 19: Identify and formally recognize historically and architecturally significant properties and features.

Policy 20: Encourage owners to rehabilitate and maintain historic properties. Consider adaptive reuse of historic structures as an alternative to demolition.

Impact 1.1-1: Under the proposed project, all the buildings within the 18 acre property at 68 and 90 North Winchester Boulevard in the City of Santa Clara, California will be demolished for new residential development.

Impacts Evaluation

The ten buildings at 68 and 90 North Winchester Boulevard evaluated in this report do not appear to be eligible for the California Register of Historical Resources. The proposed demolition will not affect any listed, or potentially eligible National Register or the California Register properties. Under the CEQA statutes and Guidelines, no mitigation measures are required.

Suggested Conditions of Approval

Although mitigation measures are not required under CEQA, the following condition of approval is recommended. Because of the association of the BAREC lab/office and shop with local agricultural history - an important part of Santa Clara Valley history – it is recommended that historic documentation of these buildings be prepared, including photographs taken according to the archival standards of the Historic American Building Survey (HABS). Copies of the

documentation shall be donated to the local history collection at the City of Santa Clara Main Library, the California Room at the San Jose Main Library and the archives of the San Jose Historical Museum. A copy with the original photographic negatives shall be donated to the University of California archives at the Bancroft Library, University of California, Berkeley.

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State of California – The Resource s Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings
Review Code _____ Reviewer _____ Date _____

Page 1 of 2 *Resource Name or #: 68 North Winchester Boulevard

P1. Other Identifier: NA

*P2. Location: Not for Publication Unrestricted X *a. County Santa Clara
and (P2b and P2c or P2d. Attach a Location Map as necessary)

b. USGS 7.5' Quad _____ Date _____ T _____ ; R _____ ; B.M.

c. Address 68 North Winchester Boulevard City Santa Clara Zip 95117

d. UTM: Zone _____ ; _____ mE/ _____ mN

e. Other Location Data: (e.g. parcel #, directions to resource, elevation, etc. as appropriate)

This 5 acre parcel is bounded by Dorcich Street on the south and North Winchester Boulevard on the east, in the City of Santa Clara, Santa Clara County, California (APN 303-017-047).

*P3a. Description (Describe the resource and its major elements. Include design, materials, condition, alterations, size, setting & boundaries):

The Office of Veterans Affairs occupies the modern office building at 68 North Winchester Boulevard. The building dates from 1959 and was built by the State of California. The concrete block building has a gently pitched gable roof with wide eaves. The building has fixed pane windows. The building does not appear to meet the California Register criteria for resources less than fifty years old, thus it does not appear to be eligible for the California Register as an historic resource.

*P3b. Resource Attributes: HP6

*P4. Resources present: X Building _____ Structure _____ Object _____ Site _____ District _____ Element of District _____
Other _____

P5a. Photo or Drawing

SEE CONTINUATION SHEET

P5b. Description of Photo:

*P6. Date
Constructed/Age and
Sources: X Historic
_____ Prehistoric _____
Both 1959

*P7. Owner and Address
State of California

*P8. Recorded by:
(Name, affiliation, and
address) Ward Hill,
Architectural Historian,
3124 Octavia Street, San
Francisco, CA 94123

*P9. Date Recorded
October, 2002

*P10. Survey Type: (Describe)
Intensive

*P11. Report Citation (Cite survey report and other sources, or enter none)

Historic Architecture Report for the Bay Area Research and Extension Center

Attachments: _____ NONE X Location Map X Sketch Map X Continuation Sheet X Building, Structure and
Object Record _____ Archaeological Record _____ District Record _____ Linear Feature Record _____ Milling Station Record
_____ Rock Art Record _____ Artifact Record _____ Photograph Record _____ Other (List)

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 2 of 2

*Resource Name or # (assigned by recorder) 68 North Winchester Boulevard

*Recorded by Ward Hill *Date: October, 2002 ☒ Continuation ☐ Update



**68 North Winchester Boulevard
View from southeast**

PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings
Review Code _____ Reviewer _____ Date _____

Page 1 of 23

*Resource Name or #: Bay Area Research & Extension Center

P1. Other Identifier: NA

*P2. Location: Not for Publication Unrestricted X *a. County Santa Clara

and (P2b and P2c or P2d. Attach a Location Map as necessary)

b. USGS 7.5' Quad _____ Date _____ T _____ ; R _____ ; B.M.

c. Address 90 North Winchester Boulevard City Santa Clara Zip 95117

d. UTM: Zone _____ ; mE/ mN

e. Other Location Data: (e.g. parcel #, directions to resource, elevation, etc. as appropriate)

This 17.5 acre rectangular shaped parcel is bounded by Forest Avenue on the north, Dorcich Street on the south, North Winchester Boulevard on east and Henry Avenue on the west, City of Santa Clara, Santa Clara County, California (APN 303-017-048).

*P3a. Description (Describe the resource and its major elements. Include design, materials, condition, alterations, size, setting & boundaries):

The flat, rectangular shaped 17.5 acre Bay Area Research and Extension Center (BAREC) property has tall hedges adjacent to a wall largely shielding views of the property from North Winchester Boulevard. The majority of the property is planted with various crops. A cornfield occupies much of the central area. An apple orchard is at the southwest corner adjacent to a windrow of trees and a small vineyard. An area with turf grass is near Winchester Boulevard. The property is an area of suburban residential and commercial retail uses. (see continuation sheet)

*P3b. Resource Attributes: HP33

*P4. Resources present: X Building _____ Structure _____ Object _____ Site _____ District _____ Element of District _____ Other _____

P5a. Photo or Drawing

SEE CONTINUATION SHEET

P5b. Description of Photo:

*P6. Date Constructed/Age and Sources: X Historic _____ Prehistoric _____ Both 1928, 1969, 1970s

*P7. Owner and Address
State of California

*P8. Recorded by: (Name, affiliation, and address) Ward Hill, Architectural Historian, 3124 Octavia Street, San Francisco, CA 94123

*P9. Date Recorded October, 2002

*P10. Survey Type: (Describe)
Intensive

*P11. Report Citation (Cite survey report and other sources, or enter none)
Historic Architecture Report for the Bay Area Research and Extension Center

Attachments: NONE X Location Map X Sketch Map X Continuation Sheet X Building, Structure and Object Record _____ Archaeological Record _____ District Record _____ Linear Feature Record _____ Milling Station Record _____ Rock Art Record _____ Artifact Record _____ Photograph Record _____ Other (List) _____

BUILDING, STRUCTURE AND OBJECT RECORD

*NRHP Status Code _____

Page 2 of 23

*Resource Name or # (assigned by recorder) Bay Area Research & Extension Center

B1. Historic Name: University of California Deciduous Fruit Field Station

B2. Common Name: Bay Area Research & Extension Center

B3. Original Use: Agricultural Research

B4. Present Use Agricultural Research

*B5. Architectural Style: Bungalow

*B6. Construction History: (Construction date, alterations, and date of alterations)

The original lab/office and shop date from 1928; these buildings have not been altered extensively. The greenhouses date from 1969, and the potting shed 1971. The other buildings date from the 1970s.

*B7. Moved? X No Yes Unknown Date: NA Original Location: NA

*B8. Related Features: apple orchard, corn fields, trees

B9a. Architect NA

b. Builder: NA

*B10. Significance: Theme Agriculture Area Santa Clara County

Period of Significance 1928-1950 Property Type Research lab Applicable Criteria A

(Discuss importance in terms of historical or architectural context as defined by theme, period and geographic scope. Also address integrity.)

Originally known as the University of California Deciduous Fruit Field Station, the Bay Area Research and Extension Center (BAREC) was established in the Santa Clara Valley in 1920 for investigating problems pertaining to the growth and care of deciduous fruits (Amstutz 1959). The station was planned to serve growers in California's central coast counties. The station initially leased 5 acres in Mountain View that existing buildings that could be converted to office and laboratory space. Dr. W.L. Howard was director. The station's early research focused on brown apricot scale control, the control of brown rot in apricots, irrigation and pruning methods and work on oakroot fungus. When the Mountain View station closed in 1926, the station moved to a temporary site in the Willow Glen area of San Jose. (see continuation sheet)

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References:

B13. Remarks:

*B14. Evaluator Ward Hill, Architectural Historian

*Date of Evaluation: October, 2002

(This space reserved for official comments)

Sketch map with north arrow required
(see attached)

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Item P3a. continued:

The BAREC property has its main building complex at the northeast corner. The main complex includes eight buildings. The original 1928 buildings on the site are the lab/office and the shop. The other six buildings – 3 greenhouses, restroom building, pesticide building and potting shed – are modern structures dating from the 1970s. Other structures include a small pump house, water tank and an open storage shed. About 200 feet southwest of the main complex are two additional buildings – equipment shed and storage building (both from 1977).

The paved driveway and exit leading to Winchester Boulevard are north and south of the office/laboratory building (Photo 1). A chain link fence, several small trees and a box hedge are in front of the office/lab and paved parking area is at the rear of the building. Several small shrubs and trees are adjacent to the side facades. The irregular plan office/lab has a hipped roof covered with asphalt shingles and stucco exterior walls (Photo 2). Stylistically, the building resembles a bungalow style house of the period. The single-story front section steps up to a two-story rear section. Structurally, the building is stud wall, wood-frame construction with a concrete foundation. A stucco chimney projects from the east slope of the roof. The building primarily has one over one, wood-sash, double-hung windows. The main entrance door on the east façade is below a small shed roof supported by square columns with classical moldings (Photo 3). The handicapped ramp leading to the front entrance appears to be a later addition. The building has subsidiary doors, one on the south and two on the north facades (Photo 4). Three garage doors are on the west façade. From the front door, one enters a reception area adjacent to a small office. The original plans indicate seven laboratories (now used as offices) occupied most the interior space. The first floor has a large laboratory area north of the office (Photo 5) and a small lab south of the reception area. A stair from the reception area leads hallway opening to five small labs on the second floor. The labs have tongue and groove siding on the walls and ceiling and cabinets on one wall (Photo 6). The basement area includes a kitchen, garage and furnace room.

Directly west of the lab/office is the machinery storage/shop building (Photos 7 & 8). This simply detailed, single-story building has a double gambrel roof covered with asphalt shingles. The roof eaves have exposed rafters. The stud-wall, wood-frame is covered with exterior, horizontal wood siding (the original siding is covered with plywood on the south façade). The south half of the east façade is an open entrance for machinery. Adjacent to this opening on the north is the shop area with a sliding door constructed of vertical wooden tongue and groove with diagonal bracing. The same sliding doors are on the west and north facades. The west façade has three, four light windows. The interior of the shop space has unfinished horizontal board walls, exposed roof rafters and a concrete floor (Photo 9).

Just south of the machinery storage/shop building are the three modern greenhouses and the potting shed. The rectangular plan greenhouses are steel tube frame construction with fiberglass exterior cladding (Photo 10). The rectangular shaped potting shed is constructed of wood-frame and concrete block (Photo 11). The exterior cladding is vertical wood boards and fiber-glass. The other buildings on the property dating from the 1970s include the restrooms (Photo 12), the pesticide building (Photo 13), the open storage shed (Photo 14), the pump house and water tank (Photo 15) and the equipment shed (Photo 16).

Item B10. continued:

The station moved to its permanent new location on the Santa Clara/Los Gatos Road (later North Winchester Boulevard) in 1928. Dr. B. A. Rudolph, who worked as a plant pathologist at the station, became the superintendent. The University leased 13 acres here from the Woman's Relief Corps Home, a state institution providing housing to indigent widows and daughters of veterans of the Civil War. The State of California had purchased this site in four parcels from A.E. Osbourne between 1921 and 1924. A new laboratory/office building and a shop/machinery storage building were completed in late 1928. The station had a limited staff and budget. Research activity at the station declined in the late thirties as staff was moved to Berkeley and Davis. Apparently only Dr. Rudolph worked at the station during the war years.

In 1947, after the legislature closed the women's home to future applicants, several organizations tried to take control of the property, including the Santa Clara County Welfare Department. A number of agricultural organizations served by the experiment station lobbied for its continuance because the University considered closing the Santa Clara station given that the County was interested in taking over the property. The University opened and closed research stations regularly depending on the needs of different areas they served in the state (Scheuring 2002). After the University of California decided to keep the Santa Clara station operating, the state transferred 13 acres of the property to the University in 1952. The Station's administration was also transferred to the Field Station Administration in Davis the same year.

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When Dr. Rudolph passed away in June, 1953, Alfred Amstutz became the station superintendent. Amstutz had worked at the station since it opened in 1928. According to Edwin Amstutz, Alfred Amstutz research focused on strawberry varieties and tomatoes for canning (Amstutz 2002). A short 1959 history of the Deciduous Fruit Field Station written by Alfred Amstutz indicated that the "successful projects completed at the station" included a spray program for apricot brown rot, control programs for weevils, aphids, cyclamen mite, walnut blight and oakroot fungus, production and release of 5 varieties of strawberries, ESSRR canning tomato resistant to verticillium; research on other plants attacked by verticillium. When the Women's Relief Corps buildings were demolished in 1963, five additional areas became part of experiment station.

The station research shifted to ornamental crops in the 1960s as subdivisions and office/research parks replaced Santa Clara County's fruit orchards. The original focus of the station (reflected in its name as a Deciduous Fruit Station) had obviously become obsolete. The California State Florist Association financed the construction of three greenhouses at the research station. The research in the greenhouses focused lilies and mums. The potting shed near the greenhouses dates from 1971. Research also focused in turf grass and landscape plants, like iceplant, oleander and pine. The station address changed from 125 to 90 North Winchester after the property was annexed by the City of Santa Clara in 1977. In 1995, the field stations became Research and Extension Centers so the Deciduous Fruit Station was renamed the Bay Area Research and Extension Center. The property recently transferred back to the State of California since the Extension decided to close BAREC.

Evaluation

The only BAREC buildings over 50 years old are the lab/office building and the shop. The other buildings date from the late 1960s or 1970s, thus are not of potential historic significance. The landscaping and plantings on the property also appear to date from the last 30 years. The lab/office building retains a high level of historic integrity. The only exterior alteration is the ramp on the front façade. The original interior plan and finishes are intact. The shop building also does not appear to have been altered since originally constructed. The potential significance of these buildings is under California Register Criterion 1 (patterns of history etc) because of their association with agricultural history of the Santa Clara Valley and the research programs of the University of California. BAREC has always been one of the smaller research stations in the University system with a limited staff and budget. The research at the station from 1928 to 1952 (i.e. conducted over 50 years ago) was typical of other stations in the system, focusing on plant pathology issues to serve local commercial agricultural interests. According to agriculture historian Ann Scheuring, the University has opened and closed research stations on an on-going basis depending on the needs of the California agricultural economy. The strawberry varieties developed at BAREC may have contributed to the cultivation of this fruit, but more research is needed to assess its significance. Based on the historical research conducted for this research, the Santa Clara research station does not appear the research have had exceptional importance in the history of California agriculture. Thus, the lab/office and the shop do not appear to be significant under Criteria 1, 2 or 3, thus the buildings do not appear to be eligible for the California Register.

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Item B12 continued:

Amstutz, Alfred

1959 "University of California Deciduous Fruit Station History," typewritten manuscript on file at the UC Agricultural Extension, Davis, CA.

Amstutz, Edwin, brother of Alfred Amstutz

2002 Personal communication with Ward Hill, October 11, 2002

Bay Area Research and Extension Center

"Headlines of the Fifties" on file at BAREC

"History of BAREC" on file at BAREC.

Rodebaugh, Dale

1999 "Farmers to Lose Helping Hand," *San Jose Mercury News*, July 7, 1999, p.8.

San Jose/Santa Clara City Directories 1928-1950.

Santa Clara County Deed Records

Osbourne et al to State of California, 7/7/21, 8/21/21, 1/21/24.

State of California to the Regents of the University of California, 9/15/52, 3/18/63.

Scheuring, Ann

2002 Personal Communication with Ward Hill, October 14, 2002.

University of California Agriculture and Natural Resources

1990 Report on the Deciduous Fruit Agricultural Research and Extension Center Ad Hoc Review Committee, January 31, 1990.

2000 "UC Regents authorize return of research property to state," March 16, 2000 press release at [//danr.ucop.edu/news/jan-june2000/barec.html](http://danr.ucop.edu/news/jan-june2000/barec.html).

2002 "Bay Area Research and Extension Center" at the web site [//danrrec.ucdavis.edu/bay_area](http://danrrec.ucdavis.edu/bay_area)

no date list of BAREC buildings with construction dates.

University of California College of Agriculture

1928 Laboratory building drawings dated June 1, 1928. On file at the Research and Extension Centers Administrative offices, Davis California.

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**Photo 1: Bay Area Research & Extension Center
Office/Laboratory
(view from southeast)**

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**Photo 2: Bay Area Research & Extension Center
Office/Laboratory
(view from southeast)**

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**Photo 3: Bay Area Research & Extension Center
Office/Laboratory
(entrance view from southeast)**

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**Photo 4: Bay Area Research & Extension Center
Office/Laboratory
(view from southwest)**

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**Photo 5: Bay Area Research & Extension Center
Office/Laboratory
(view of interior first floor lab)**

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**Photo 6: Bay Area Research & Extension Center
Office/Laboratory
(view of interior second floor lab)**

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**Photo 7: Bay Area Research & Extension Center
Machinery Storage/Shop
(view from southeast)**

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**Photo 8: Bay Area Research & Extension Center
Machinery Storage/Shop
(view from northwest)**

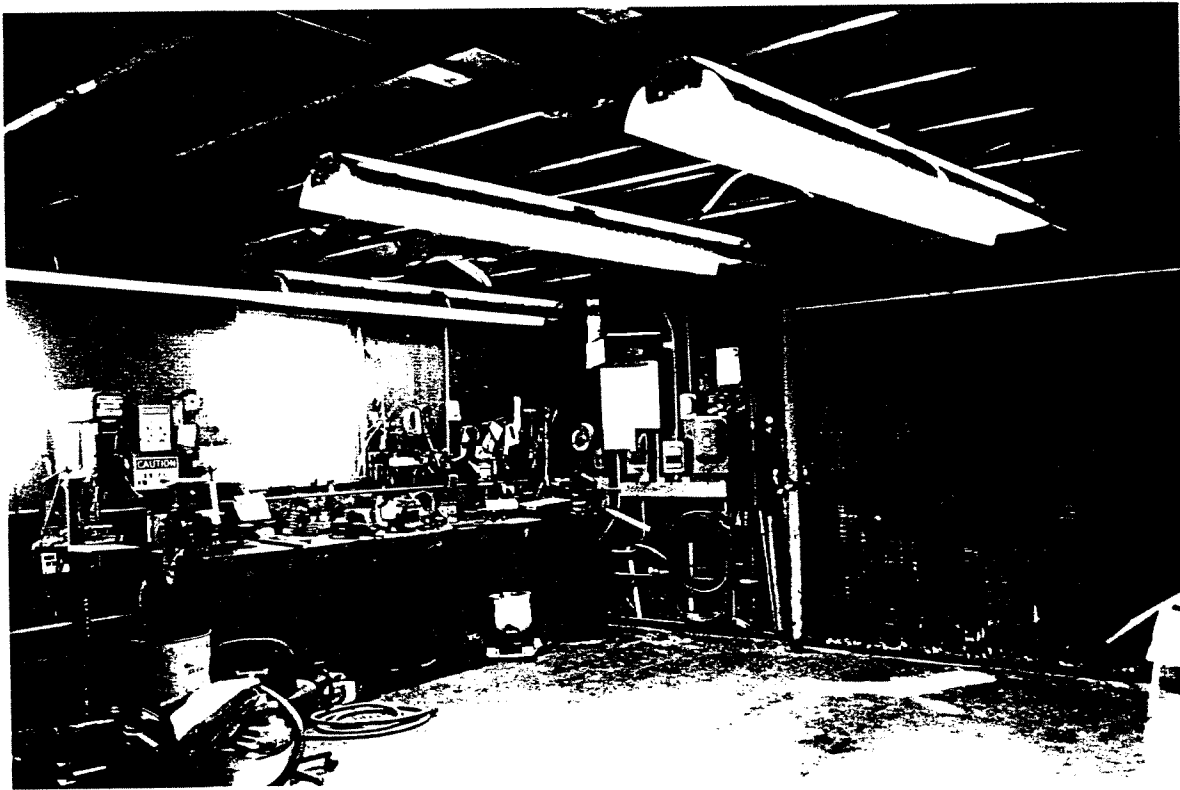
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**Photo 9: Bay Area Research & Extension Center
Machinery Storage/Shop
(view of shop interior)**

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**Photo 10: Bay Area Research & Extension Center
Greenhouses
(view from northeast)**

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**Photo 11: Bay Area Research & Extension Center
Potting Shed
(view from northeast)**

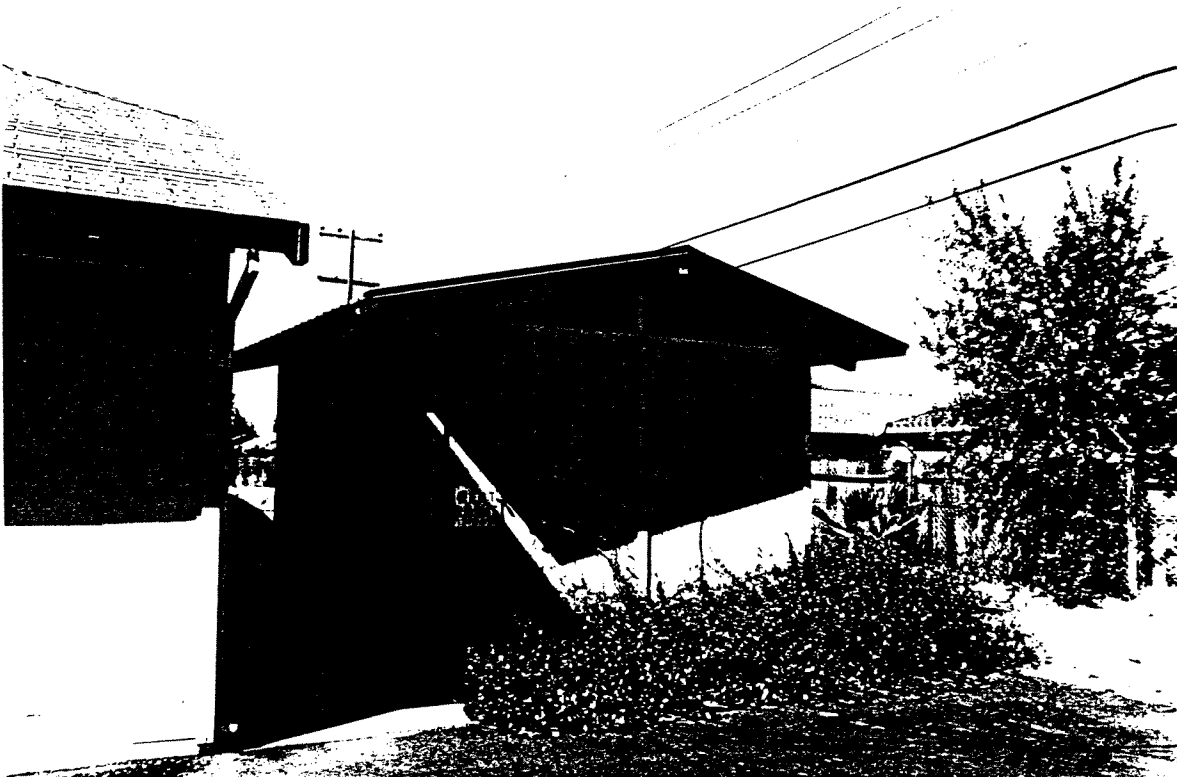
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**Photo 12: Bay Area Research & Extension Center
Restroom
(view from southeast)**

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**Photo 13: Bay Area Research & Extension Center
Pesticide Building
(view from northeast)**

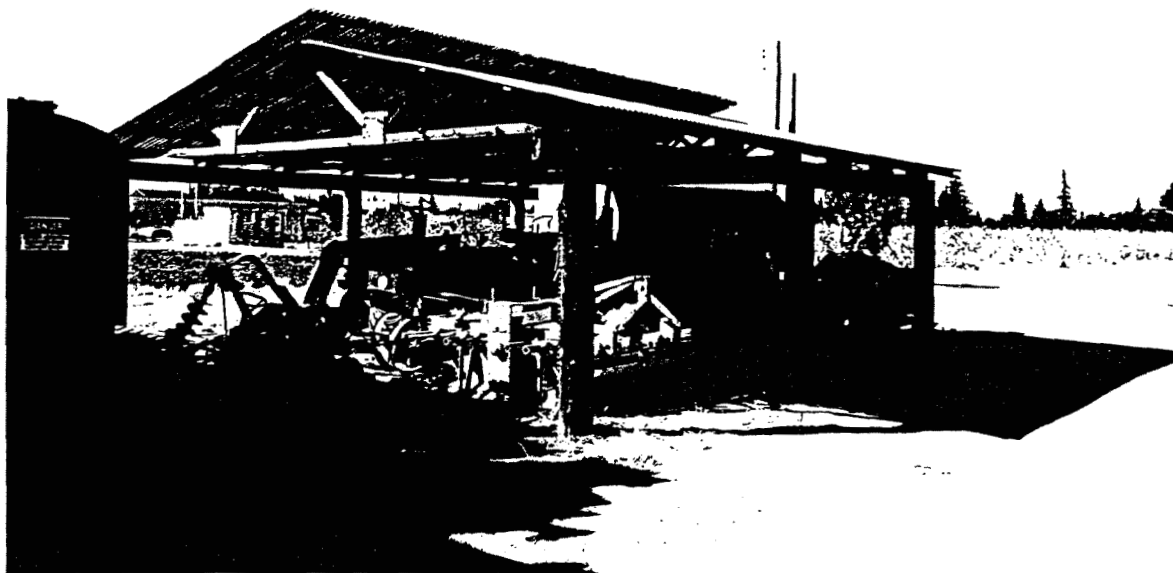
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**Photo 14: Bay Area Research & Extension Center
Equipment Storage
(view from northeast)**

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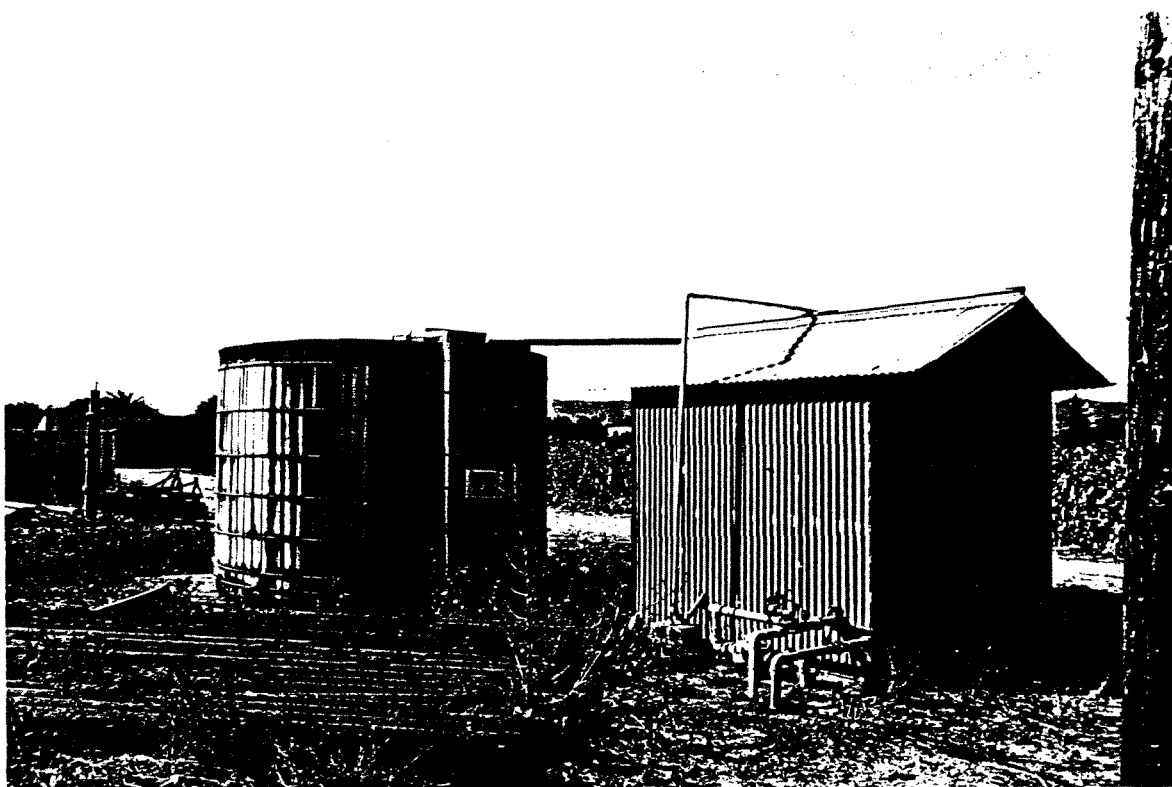


Photo 15: Bay Area Research & Extension Center
Pump house and water tank
(view from southeast)

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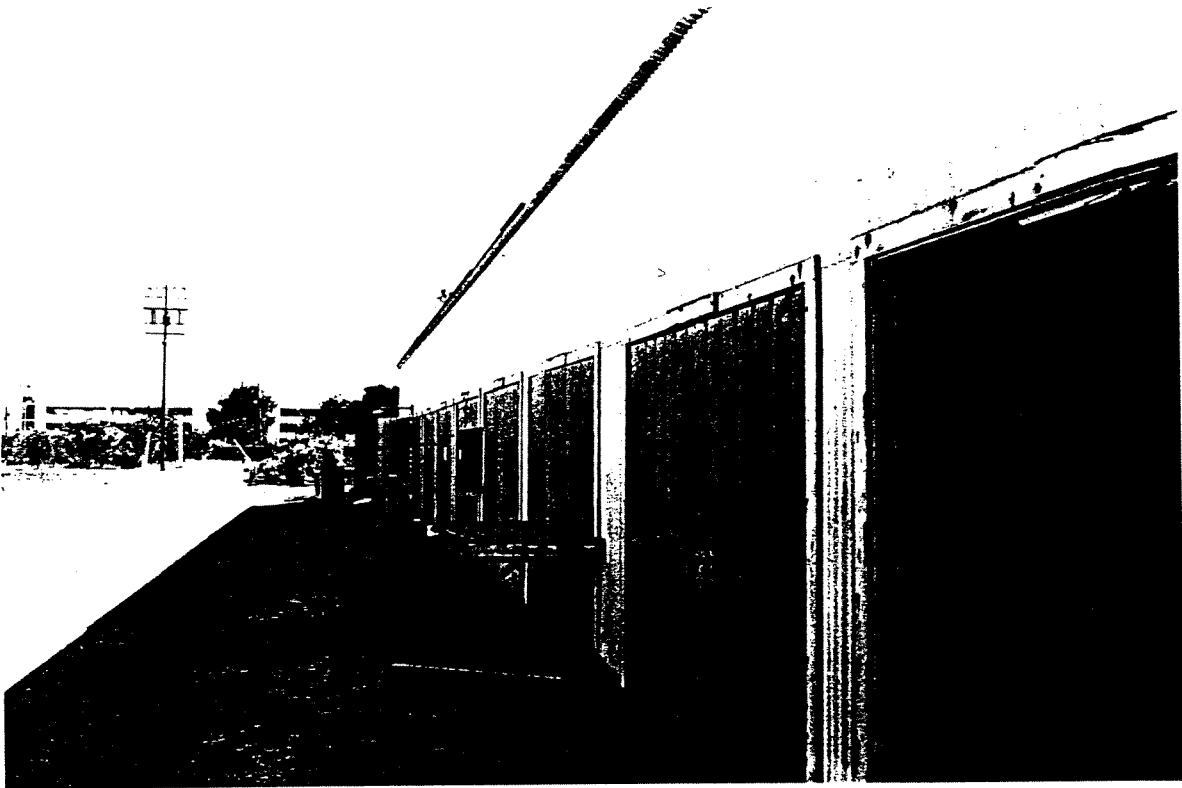
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**Photo 16: Bay Area Research & Extension Center
Equipment Storage
(view from northwest)**

LOCATION MAP

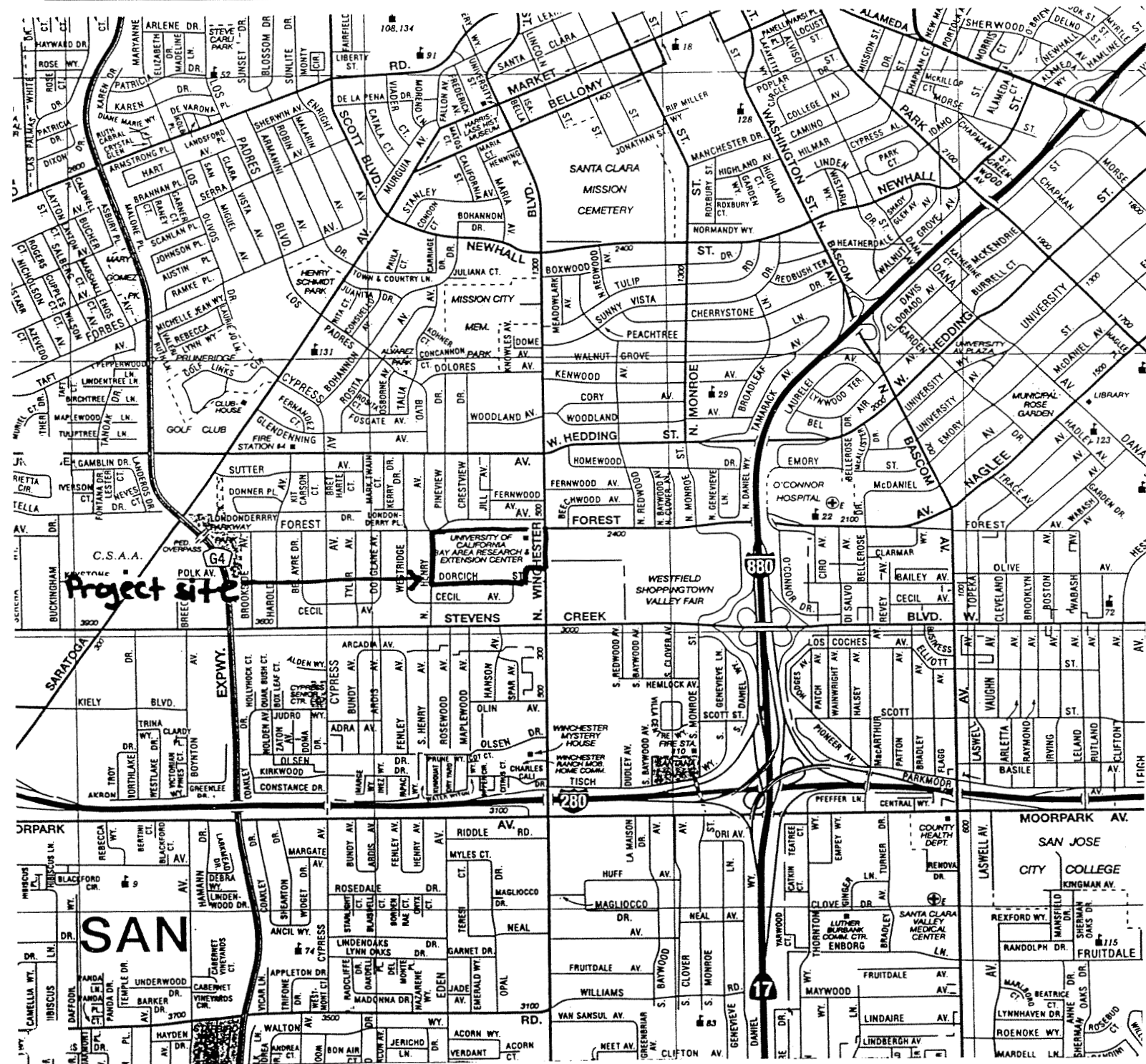
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*Resource Name of # (assigned by recorder) Bay Area Research and Extension Center

*Drawn By not applicable

*Date: October, 2002



SKETCH MAP

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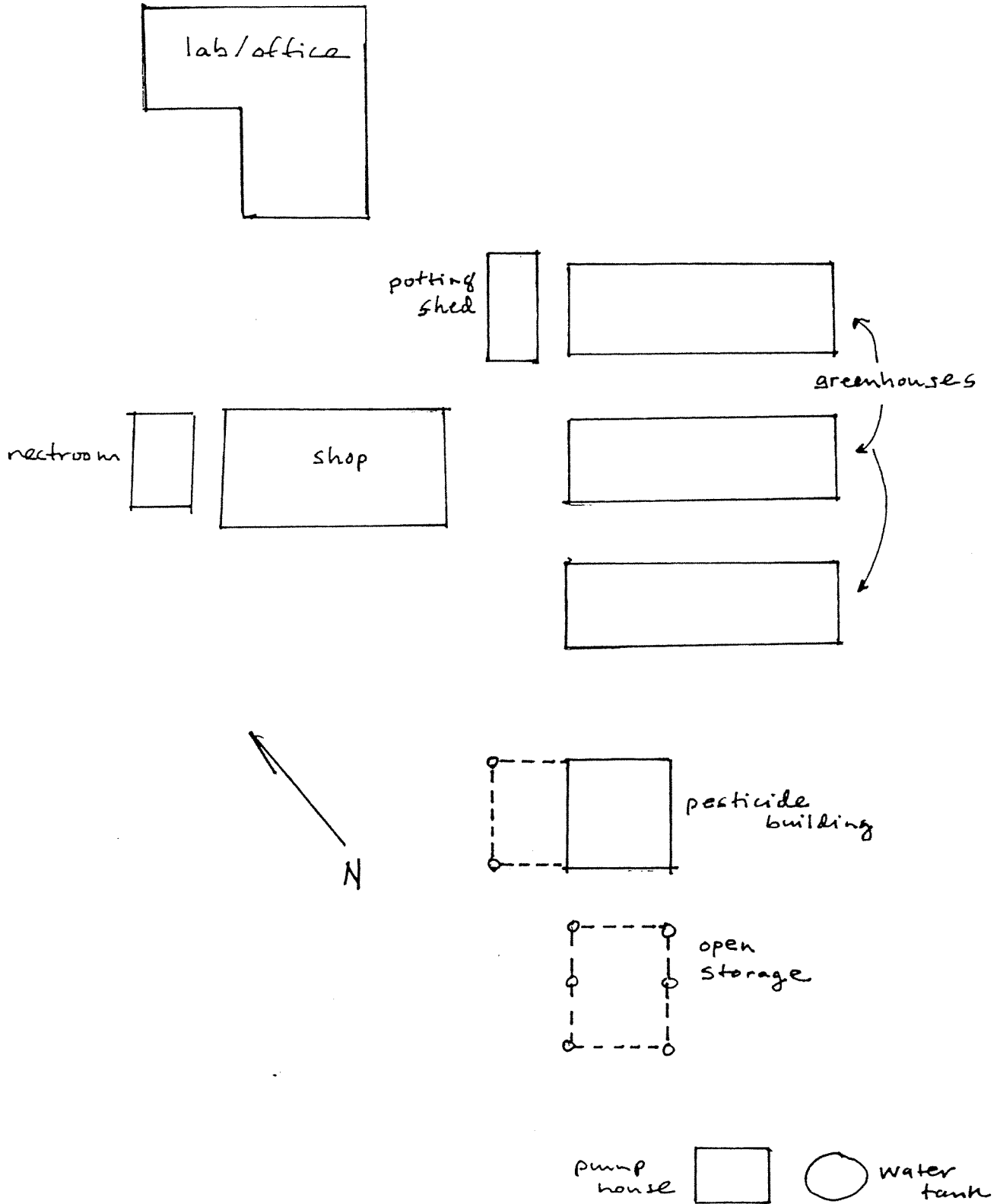
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TRANSMITTAL

DAVID J. POWERS AND ASSOCIATES

1885 The Alameda, Suite 204

San Jose, CA, 95126

(408) 248-3500

(408) 248-9641

TO: Dan Potash
DVP Associates, Inc.

DATE: October 22, 2002

1406 Scenic Avenue
Berkeley, CA 94708

FROM: Shannon George

cc:

SUBJECT: UC/Winchester Research Center

DOCUMENT(S):

1 Copy – Historic Evaluation Report by Ward Hill

COMMENTS:

Deeds of Transfer



	<u>Document Recorded</u>	<u>Grantor/Grantee</u>	<u>Description</u>
1.	(unrecorded) dated May 10, 1870	U.S.A. (Patent) to Heirs of Isaac Owen, deceased	E ½ NE ¼ Sec. 15
2.	September 7, 1872 Book 26 Deeds page 215	Lucinda Owen and Amy Owen to Sarah F. Kidder	E ½ NE ¼ Sec. 15
3.	September 1, 1875 Book 30 Deeds page 257	William Mc K Owen to Sarah F. Kidder	E ½ NE ¼ Sec. 15
4.	May 21, 1875 Book 37 Deeds page 71	Charles S. Kidder and Sarah F. Kidder to James B. Yeargain	"N'ly 18 acres of the Isaac Owen Estate"
5.	August 11, 1875 Book 36 Deeds page 558	James B. Yeargain to H. H. Warburton	"N'ly 18 acres of the Isaac Owen Estate"
6.	March 1887 Book 89 Deeds page 161	H. H. Warburton to Henry W. Titus	"114 98/100 acres"
7.	February 26, 1889 Book 115 Deeds page 160	Henry W. Titus to Nicholas DeBar	"18 acres"
8.	October 7, 1907 Book 320 Deeds page 417	Gustave Nelson, et al, Trustees, (by Foreclosure of a Deed of Trust executed by Nicholas DeBar) to J. J. Sontheimer	"18 acres"

9.	July 16, 1908 Book 333 Deeds page 228	J. J. Sontheimer and Anna Southeimer to Margaret P. Osborne	"18 acres \pm "
10.	September 12, 1921 Book 538 Deeds page 257	Margaret P. Osborne and A. E. Osborne to State of California	"8 acres \pm "
11.	January 28, 1924 Book 54 O.R. page 492	Margaret P. Osborne and A. E. Osborne to State of California	"3.57 acres"
12.	January 28, 1924 Book 54 O.R. page 493	Margaret P. Osborne and A. E. Osborne to State of California	"3 acres \pm "
13.	January 28, 1924 Book 54 O.R. page 494	Margaret P. Osborne and A. E. Osborne to State of California	"3.43 acres \pm "
14.	October 2, 1952 Book 2498 page 168	State of California to The Regents of the University of California	"12.24 acres \pm "
15.	April 29, 1963 Book 6003 page 8	State of California to The Regents of the University of California	"5.08 acres \pm "
16.	May 30, 2003 Document No.17075532	The Regents of the University of California	two parcels, APN 303-17-048 and 049

125000

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1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 26

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Keywords: *Self-esteem, self-worth, self-esteem threat, self-esteem threat response, self-esteem threat response strategies, self-esteem threat response strategies, self-esteem threat response strategies*

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**• ATTENDING**

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• **What is the purpose of the study?**

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1. *Chlorophyll a* (Chl *a*)

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and Ford of

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1. *As a member of the Board of Directors, I am pleased to see the progress of the company in the past year. The company has achieved significant milestones in the past year, and I am confident that the company will continue to grow and succeed in the future.*

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861. It is a copy of the original letter, and is signed by the President.

According to the official plan of the Survey of the said Lands returned to the General Land Office by the SURVEYOR GENERAL, which said tract had been purchased by the said Reserve Farm

NOW KNOW YE, That the  
 United States of America, in consideration of the premises, and in conformity with the several acts of Congress in such case  
 made and provided, **HAVE GIVEN, AND GRANTED**, and by these presents **DO GIVE AND GRANT**, unto the said

~~and~~ ~~the~~ ~~said~~ ~~boat~~ ~~above~~ ~~described~~: The boat was to take the crew together with all the other prisoners  
on board and ~~take~~ ~~care~~ ~~of~~ ~~whatever~~ ~~matters~~, therefore belonging, upon the said ~~boat~~. ~~to~~ ~~be~~ ~~used~~

and to Valtierra and Miguel Alemán.

IN WITNESS WHEREOF, J. Morgan Shuart  
PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these Letters to be made PATENT, and the SEAL  
of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the 14th day of May 1898,  
in the year of our Lord one thousand eight hundred and 98  
In testimony whereof, I have hereunto set my hand and the  
Seal of the Department of the Interior at Washington, D.C., this 14th day of May 1898.

BY THE PRESIDENT: *W. H. Taft*

100

*J. N. Boyer* *Recorder of the General Land Office*

Note: a better copy to Follow -

WB3

unrecorded

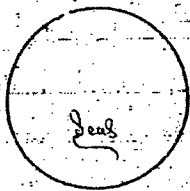


said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed Sealed and Delivered in the presence of  $\frac{3}{3}$  A Overbaugh {Seal}  
Geo Roberts. {Seal}

State of California

County of Santa Clara <sup>38</sup> On the Third day of September A.D. One Thousand Eight Hundred and Seventy Two, personally appeared before me Eugene Strauss a Notary Public in and for the County of Santa Clara A Overbaugh and Geo Roberts whose names are subscribed to the annexed instrument as parties thereto, personally known to me to be the same persons described in and who executed the said annexed instrument as parties thereto and who duly acknowledged to me that each of them executed the same freely and voluntarily and for the uses and purposes therein mentioned. Due Notice



Having I have hereunto set my hand and official my Official Seal the day and year in the Certificate first above written.

E H Strauss Notary Public

Recorded at the request of E H Strauss September 21st 1872 at San Francisco past Ten o'clock A.M.

Ob Bailey Recorder

Lucinda Owen & Amy Owen S. Sarah E. Kinder

This Indenture made the Fifth day of September One Thousand Eight Hundred and Seventy Two Between Lucinda Owen and Amy Owen of the County of Santa Clara and State of California the parties of the first part and Sarah E. Kinder of said County and State the party of the second part. Witnesseth that the said parties of the first part, for and in consideration of the sum of Ten Hundred Dollars Gold Coin of the United States of America to them in hand paid by the said party of the second part, out of her separate property, at or before the

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September 7, 1872

Lucinda Owen  
Amy Owen

Sarah Kinder

Witness  
Hand  
of  
Counsel

receiving and delivery of these presents. The receipt whereof is hereby acknowledged: have granted, bargained and sold, conveyed and confirmed and by these presents do grant, bargain, sell convey and confirm unto the said party of the second part and to her heirs and assigns forever, as her separate property, All that certain tract or parcel of land, lying, situate and being in the County of Santa Clara and State of California and more particularly known and described as the East Half of the North East Quarter of Section Number Fifteen (15) in Township Number Seven (7) North Range Number One (1) West of Mount Diablo Meridian, according to United State Survey, Containing Eighty Acres of Land, Together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in any wise appertaining, &c. &c. the revenues and rents and remainder and unincumbered, rents, issues, and profits thereof, And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances To have and to hold, all and singular the above mentioned and described premises, together with the appurtenances unto the said party of the second part her heirs and assigns forever. The consideration upon which this conveyance is made is received from the separate property of said party of the second part. For Witness Whereof the said parties of the first part have hereunto set their hands and seals the day and year first above written Signed Sealed and Delivered in the Presence of

Lucinda Owen [Seal]  
her  
Amy X Owen [Seal]  
mark

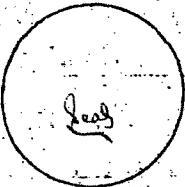
to L. Stephens

State of California

County of Santa Clara

On the Sixth day of September, A.D. One Thousand Eight Hundred and Seventy Two, before me, L. L. Stephens a Notary Public in and for said County of Santa Clara, duly commissioned, sworn and qualified, personally appeared the within named Lucinda Owen and Amy Owen whose names are subscribed to the annexed instrument or

parties thereto personally known to me to be the individuals described in and who executed the said annexed instruments and who each duly and severally acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned. In witness whereof, I have hereunto



set my hand and affixed my Official Seal at my Office in the City of San Jose County of Santa Clara State of California the day and year in this Certificate first above written. To W. Stephens, Notary

Public in and for the County of Santa Clara State of California  
Recorded at request of W. H. Laine, Atty for Grant, September  
Seventh A.D. 1872, at Twenty Minutes past Nine o'clock P.M.  
O. C. Bailey Recorder.

Peter M. Augier vs. Louisa Vincent

This Indenture made the seventh day of September in the year of our Lord one thousand eight hundred and seventy two between Peter M. Augier of the Town of Alviso County of Santa Clara and State of California first of the first part, and Louisa Vincent of the same Town, County and State, the party of the second part, it is remembered that the said party of the first part, for and in consideration of the sum of One Hundred and Fifty Dollars, Gold Coin of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged has revised released and forever quitclaimed, and by these presents do release, release and forever quitclaim unto the said party of the second part and to her heirs, assigns, all his right, title and interest in that piece or parcel of land lying and being in the County of Santa Clara and State of California, and known as Lots Nos 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, in Block A in Book Addition to the Town of Alviso. The said lots being 50 x 150 feet each.

Witness  
my hand  
Do at  
San Jose

Wm Mc K Owen To S F Kidder

This Indenture made the First day of September in the Year of our Lord One Thousand Eight Hundred and Twenty Three Between William Mc K Owen of the Territory of Arizona party of the first part and Sarah F Kidder of the County of Santa Clara State of California the party of the second part Witnesseth That the said party of the first part for and in consideration of the sum of Eleven Hundred and Twenty Dollars Gold Coin of the United States of America to him in hand paid by the said party of the second part the receipt whereof is hereby acknowledged Has granted bargained and sold conveyed and confirmed and by these presents does grant bargain and sell convey and confirm unto the said party of the second part and to her heirs and assigns forever All that certain lot tract or parcel of land situate lying and being in the County of Santa Clara and State of California and more particularly described as follows viz: The East one half -  $2\frac{1}{2}$  of the North East quarter  $1\frac{1}{2}$  of Section fifteen (15) in Township Number Seven (7) South and Range Number one (1) West Mount Diablo Meridian Containing Eighty acres of land according to United States Surveys it being commonly known as the Oscar Owen Tract Together with all and singular the tenements hereditaments and appurtenances thereto in anywise appertaining and the same

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September 1, 1875

also all the estate right title interest Homestead right  
property possession claim and demand whosoever as  
well in law as in equity of the said party of the  
first part of in or to the above mentioned premises &  
every part and parcel thereof with the appurtenances to  
have and to hold all and singular the above men-  
tioned and described premises together with the appur-  
tenances unto the said party of the second part her  
heirs and assigns forever as her separate property &  
estate the consideration therefore having been paid  
out of her separate estate In Witness Whereof the  
said party of the first part has hereunto set his hand  
and seal the day and Year first above written

Wm Mc K Owen 

State of California ss

County of Santa Clara On this First day of Sept-  
ember AD One Thousand Eight Hundred and Sev-  
enty Three before me Henry W. Wright of Intay  
Public in and for the County of Santa Clara duly  
commissioned and sworn personally appeared the  
within named Wm Mc K Owen whose name  
is subscribed to the annexed Instrument as a party  
thereto personally known to me to be the individual des-  
cribed in and who executed the said annexed Instru-  
ment and he said Wm Mc K Owen acknowledged  
to me that he executed the same freely and vol-  
untarily and for the uses and purposes therein men-  
tioned In Witness Whereof I have hereunto set my hand  
and affixed my official seal the day  
and Year in this Certificate first above  
written



Henry W. Wright Intay Public

Recorded at Request of Grant Oct 1st 1873 at 10 min past

County of Santa Clara

Recorded at Request of Grant Oct 1st 1873 at 10 min past

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Dr. Dickinson, made the appointment very easy on the spot.

2500. (Bureau of the Navy, Office of the Surgeon General)

of the same kind, as follows, but, I am sure of a part of

(7) And it was found that

Thence South Nine (9.00) Chs along the Westerly line of Land of Kidders land, thence at right angles East Twenty (20) chains to the Easterly line of said Kidders land. Thence North along the East line of said land nine (9) Chs to the North East Corner of said Kidders land. Thence Westerly along the line between said land and land of Donovan Twenty (20) Chs to the place of beginning containing Eighteen (18) rows of land and being the Northern Eighteen rows of a part of the same above Estate, conveyed by deed to Sarah J. Kidder. Together with all and singular the Tenements, Hereditaments and appurtenances therunto belonging or in any wise appertaining, and the reversion and reversions, rents issues and profits thereof, and also all the Estate, right, title, interest, Homestead Right, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of in or to the above mentioned premises, and every part and parcel thereof with the appurtenances. To have and to hold all and singular, the above mentioned and described premises together with the appurtenances unto the said parties of the second part his heirs and assigns forever. In Witness Whereof the said parties of the first part have hereunto set their hands and seals the day and year first above written. Charles L. Kidder (Seal) Sarah J. Kidder (Seal)

State of California 88.

County of Santa Clara. On this Fifteenth day of May 1881 One thousand Eight Hundred and Seventy Five, before Me James R. Lowe a Notary Public in and for said County of Santa Clara duly Commissioned, sworn and qualified personally appeared Charles L. Kidder and Sarah J. Kidder his wife, personally known to me to be the individuals described in and who executed the annexed instrument as parties thereto, and they and each of them duly acknowledged to me that they executed the said instrument free and voluntarily and for the uses and purposes therein mentioned.



and I further certify that the said Sarah P. Kiddle described  
as a married woman and wife of the said Charles S. Kiddle, was  
before me first made acquainted with the contents of said Instru-  
ment, and thereafter acknowledged to me on an understanding of  
its contents, apart from and without the Reading of her said husband, that  
she executed the same freely and voluntarily, and for the uses  
and purposes therein mentioned, without fear, compulsion and  
undue influence of her said husband, and that she did not wish to  
retract the execution of the same. In Witness Whereof, I have  
hereunto set my hand and affixed my official seal, at my  
Office in the City of San Jose, County of Santa Clara State of  
California the day and year in this Certificate  
first above written. I at R. F. Lowe Notary  
Public, in and for the County of Santa Clara, State of California.

Recorded at request of Grant May 21st 1890. at 11 o'clock  
a.m. H. J. Colquhoun Recorder  
By J. J. S. S. S.

P. Arguilla et al. vs. William Rice.

This Indenture, made the twenty first day of May in  
the year of our Lord One thousand Eight hundred and Ninety  
between, P. Arguilla and L. A. Arguilla of the County of  
Santa Clara State of California parties of the first part, and  
William Rice of the County of Morgan in the State of  
Illinois the Party of the Second part, Witnesseth, that the said  
parties of the first part, for and in consideration of the sum of  
Five thousand four hundred & twenty six 2/10 Dollars in  
Gold Coin of the United States of America to them in hand  
paid by the said Party of the Second part the receipt of which  
is hereby acknowledged, have granted, bargained, sold,  
and conveyed, and by these presents do grant bargain, sell and



Recorded at request of W. H. Wheeler Aug 14 AD  
1875, at 10 min past 2 o'clock PM, W. J. Colahan Recorder  
By J. Delighton Deputy

## James B. Yeargain et al To H. H. Warburton

This Indenture made the Eleventh day of August in the year of our Lord one thousand eight hundred and seventy five Between James B. Yeargain and Martha J. Yeargain his wife of the County of Santa Clara and State of California the parties of the first part and H. H. Warburton of the County and State aforesaid the party of the second part Witnesseth that the said parties of the first part for and in consideration of the sum of Fifteen hundred and fifty dollars gold coin of the United States of America to them in hand paid by the said party of the second part the receipt whereof is hereby acknowledged have granted bargained and sold conveyed and confirmed and by these presents do grant bargain and sell convey and confirm unto the said party of the second part and to his heirs and assigns forever all that certain lot piece or parcel of land situate lying and being in the aforesaid County of Santa Clara and State of California and bounded and particularly described as follows to wit: Commencing at a point at the north westerly corner of the South East quarter (1/4) of the North East quarter of Section No Fifteen (15) Township No Seven (7) South of Range One (1) West and running thence South nine (9) chains along the West side line of Sarah & Hidas land thence at right angles East twenty chains (20) to the Easterly line of said Hidas land thence north along the East

Book 36-Deeds-558  
August 11, 1875

line of said lands more (9) chains to the North East corner of said Hadden's land. Thence Westly along the line between said lands and land of Donswan, more (100) chains to the place of beginning containing eighteen acres of land more or less and being the northly eight-acre of a part of the Isaac Owen estate conveyed by deed to Sarah F. Hadden. Together with all and singular the Tenements Hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions remainder and remainments issues and profits thereof and also the whole right title interest abovesaid right property provisions claim and demands whatsoever as well in law as in equity of the said parties of the first part of us or to the above mentioned premises and every part and parcel thereof with the appurtenances. To have and to hold all and singular the above mentioned and described premises together with the appurtenances unto the said party of the second part his heirs and assigns forever. In witness whereof the said parties of the first part have here unto set their hands and seals the day and year first above written.

signed sealed and delivered by James B. Yergain *Deed*  
in presence of J. L. Jenkins Martha J. Yergain *Deed*  
State of California Sd.

County of Santa Clara On This Eleventh day of August A.D. one thousand eight hundred and seventy five before me J. L. Jenkins a Notary Public in and for the said county of Santa Clara personally appeared James B. Yergain and Martha J. Yergain his wife whose names are subscribed to the annexed instrument known to me to be the same persons described in the same who executed the said instrument.

acknowledged to me that they respectively executed the same. And the said Martha B. Yeargam described as a married woman. And the wife of the said James B. Yeargam upon examination without the hearing of her husband I made her acquainted with the contents of said instrument and thereupon she acknowledged to me that she executed the same and that she does not wish to retract such execution. In witness whereof I have hereunto set my hand and affixed my official seal at my office in the County of Santa Clara. The day and year in this certificate first above written. J. C. Jenkins Notary Public. Received at request of Granters Aug 14<sup>th</sup> 1887 at 32 min past 2 o'clock P.M.



W. J. Coolahan  
County Recorder

Amy Daucher et al. vs. C. G. Harrison

This Indenture made the 14<sup>th</sup> day of August in the year of our Lord one thousand eight hundred and eighty five Between Amy Daucher and Gilbert Daucher her husband of the County of Santa Clara State of California party of the first part and Cornelius G. Harrison of the City of San Jose of the County of Santa Clara State of California the party of the second part Witnesseth: That the said parties of the first part for and in consideration of the sum of Eight thousand five hundred (\$8500.00) dollars in gold coin of the United States of America to them in hand paid by the said party of the second part. The receipt whereof is hereby acknowledged have granted bargained and sold conveyed and confirmed and by their parents and



[illegible]

My dear Mr. Garrison  
I have just received your letter of the 14th inst. and am  
glad to hear that you are still so active in the  
cause of the oppressed. I am sure that your  
efforts will be successful. I am, Sir, very  
respectfully,  
Your obedient servant,  
Wm. Lloyd Garrison



2

Henry W. Titus

C. Nicholas de Bar

This Indenture, made the Twenty third day of February in the year of our Lord one thousand eight hundred and eighty nine Between Henry W. Titus of the City and County of San Francisco, California the party of the first part, and Nicholas de Bar of the County of Santa Clara State of California the party of the second part. Witnesseth: That the said party of the first part, for and in consideration of the sum of Four thousand and five hundred Dollars gold coin of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm, unto the said party of the second part, and to his heirs and assigns forever, all the certain lot piece or parcel of land situate, lying and being in the said County of Santa Clara, State of California, and bounded and particularly described as follows, to wit: Beginning at the North west Corner of the South East quarter of the North east quarter of Section Fifteen (15) Township Seven (7) South Range One (1) West N. E. M. which said corner is also the North east (N. E.) corner of Lyman B. Co's land and from thence running South along the Cor - boundary line of said Lyman B. Co's land Nine (9) Chasms; thence at right angles along the North line of Farrell's land and E. J. H. Hughes and twenty (20) Chains to the Santa Clara and Santa Cruz road; thence North along

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February 26, 1889

said said Trice 17 1/2 Chains to the Northeast Corner of the Southeast quarter of the Northeast quarter of said section fifteen 15 1/2 and thence West twenty (20) chains to the place of beginning containing 18 Acres. Together with all and singular the tenements, hereditaments and appurtenances therunto belonging, or in anywise appertaining, and the reversions and reversions, remainders and remainders, rents, issues and profits thereof. To Have and to Hold, all and singular the said premises, together with the appurtenances unto the said Party of the second part, and to his heirs and assigns forever. In Witness Whereof, the said party of the first has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered

in the presence of  
Geo. J. Knott

Henry W. Titus [Seal]

State of California, ss. On the 25<sup>th</sup> day of February A.D. 1889, in and for said City and County of San Francisco, any One Thousand Eight Hundred and Eighty Nine before me Geo. J. Knott, a Notary Public in and for said City and County, residing therein, duly commissioned and sworn, personally appeared Henry W. Titus, known to me to be the individual described in whose name is subscribed to and who executed the annexed instrument, and he acknowledged to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year last above written.

Geo. J. Knott Notary Public.

Recorded at the Request of Grantee Feb 26<sup>th</sup> A.D. 1889



at 36 min. East of Col. E. M.  
 Grace R. Murdoch Recorder  
 By Grace R. Murdoch Deputy Recorder

Grace R. Murdoch To Francis W. Murdoch

This Indenture, Made the Twenty Third day of February in the year of our Lord one thousand eight hundred and eighty nine, Between Grace R. Murdoch of the City and County of Los Angeles State of California, the party of the first part, and Francis W. Murdoch of the City of San Jose County of Santa Clara State of California, The party of the second part, Witnesseth: That the said party of the first part for and in consideration of the sum of Ten (\$10) Dollars, in gold coin of the United States of America to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do hereby these presents grant, bargain, sell, convey and confirm, unto the said party of the second part and to his heirs and assigns forever, all that certain lot, piece, or parcel of land, situate, lying and being in the City of San Jose, County of Santa Clara, State of California, and bounded and particularly described as follows, to wit: Commencing at a point in the Westerly line of Seventh Street, in said City where the Westerly line of Lot Eight (8<sup>th</sup> Range Seven (7)), South of the true line according to the official Map of said City, intersects the said Westerly line of said Street, (said point of beginning being also the North East corner of said Lot-8- Block 3- Range-7- South) and from said point running

320-Deeds-417, October 7, 1907

on Cambridge Avenue in Blocks 15 and 16; provided further that the party of the second part his heirs or assigns shall not at any time erect, place or maintain any building, structure, habitation, or place of residence at a less distance than twenty-five (25) feet from the sidewalk line of said property, except within the business limits; and provided also, and this indenture is made upon further condition, that if the said party of the second part, his heirs or assigns, shall violate the provisions or conditions aforesaid, or any of them, or permit any violation thereof, then this indenture shall be void, and the said premises shall revert and become the absolute property of the said party of the first part, its successors or assigns, who may enter into possession thereof and remove the said party of the second part his heirs or assigns, and any person holding under him or them.

IN WITNESS WHEREOF, the said party of the first part, by resolution of its board of Directors, hath caused these presents to be subscribed by its President and Secretary, and its corporate name and seal to be hereunto affixed, the day and year first above written.

(CORPORATE SEAL) Co-Operative Land & Trust Company  
By C. E. Childs, (SEAL)  
President  
S. W. Lockwood (SEAL)  
Secretary.

STATE OF CALIFORNIA, )  
COUNTY OF SANTA CLARA. ) ss.

On this 7th day of Sept. in the year one thousand nine hundred and seven before me, C. E. Jordan, a Notary Public in and for the County of Santa Clara, residing therein, duly commissioned and sworn, personally appeared C. E. Childs and S. W. Lockwood, known to me personally to be the President and Secretary respectively of the Corporation described in and that executed the within and annexed instrument, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at my office in the Town of Palo Alto, County of Santa Clara, the day and year in this certificate first above written.

C. E. Jordan, Notary Public  
(NOTARIAL SEAL) in and for the County of Santa Clara, State of California.  
Filed for Record at the Request of Grantee Oct. 5 A. D. 1907 at 6 min. past 11 o'clock A. M.

DANIEL J. FLANNERY, Recorder.  
By E. G. EMERSON, Deputy Recorder.

GUSTAVE NELSON, et al TO J. J. SONTHEIMER  
Trustees

THIS INDENTURE, made the fifth day of October A. D. 1907, between Gustave Nelson and C. W. Quilty, as Trustees, as hereinafter recited, of the County of Santa Clara, State of California, the parties of the first part, and J. J. Sontheimer of the same County and State, the party of the second part, WITNESSETH: THAT WHEREAS, Nicolas DeBar and Eva DeBar, his wife, of said County and State, did on the 20th day of May, 1907, borrow and receive from J. J. Sontheimer, the sum of \$5388.00, and in order to secure the repayment thereof, with the interest thereon, did execute and deliver to

said J. J. Sontheimer, their written promissory note for that amount, payable six months after the date thereof with 7 1/2 per cent interest as in said note provided, and to secure the payment of the amount of said promissory note, according to its terms did execute, acknowledge and deliver unto said Gustave Nelson and C. W. Quilty as trustees a certain Deed of Trust bearing date the 20th day of May, 1903, and of record in Book 5 of Trust Deeds at page 26 and following, in the office of the County Recorder of said County, which said Deed of Trust and said record thereof are hereby referred to and made a part hereof; and wherein and whereby the said Nicolas DeBar and Eva DeBar, his wife, granted and conveyed to said trustees for the uses and trusts set forth in said Deed of Trust, the following described real property, situate in the County of Santa Clara, State of California, to wit:

Beginning at the Northwest corner of the Southeast quarter of the Northeast quarter of Section fifteen (15) Township seven (7) South Range one (1) West W. D. M. which said corner is also the Northeast corner of land of L. G. Hurlburt and from thence running South along the east boundary line of said land of L. G. Hurlburt nine (9) chains; thence at right angles East along the North line of the land of J. C. Hurlburt and land of E. S. Morrow twenty (20) chains to the Santa Clara and Santa Road; thence North along said Road nine (9) chains to the Northeast corner of the Southeast quarter of the Northeast quarter of said Section fifteen (15) and thence West twenty (20) chains to the place of beginning.

CONTAINING 18 acres. Together with all the improvements and appurtenances thereto belonging. And whereas it was in said Deed of Trust provided among other things, that if default should be made in the payment of said sum of principal and interest when due, in the manner stipulated in said promissory note, or in the reimbursement of any amount therein provided to be paid, or of any interest thereon, then the said trustees, on demand of the said party of the third part to said Trust Deed, or his assigns, should sell the above described premises, or such part thereof as in their discretion they should find it necessary to sell, in order to accomplish the object of said Trust Deed, at public auction, in the manner provided in said Deed of Trust and after public notice thereof advertised at least three times a week for three weeks in some Newspaper published in the County of Santa Clara, and whereas on the second day of September, 1907, default having been made in the payment of the principal of said note and the interest thereon, and the debt secured by the Deed of Trust according to the terms of said note, said J. J. Sontheimer did declare that default had been made in the payment of the principal and interest and other sums due under and upon said Note and Deed of Trust, did request and direct said Gustave Nelson and C. W. Quilty, Trustees, to notice-for sale and sell all the real property described in said Deed of Trust to satisfy said indebtedness, to accomplish the objects of said Deed of Trust, and to pay all accrued and accruing costs and expenses of the trust and sale; and whereas, said trustees did upon the fifth day of October 1907, under and by virtue of said Deed of Trust and said application and request of said J. J. Sontheimer, proceed to sell the whole of the real property described in said Deed of Trust, in order to accomplish the objects of said trust and to satisfy said indebtedness, and to pay all accrued and accruing costs and expenses of the trust and sale, and did issue their notice of such sale in which notice they stated the time and place of sale, to wit: Saturday the 5th day of October, A.D. 1907, at twelve o'clock noon of that day, at the front door of the County Court House in the City of San Jose, County of Santa Clara, State of California, and also in said notice did state and give a full and complete description of said real property to be sold, and the terms and conditions of sale; and whereas said trustees did publish said notice

of sale at least three times a week for three successive weeks next before said sale, in the "Evening News" a daily newspaper of general circulation published in said City of San Jose, in said County, as will also appear from the affidavit of C. W. Williams, marked "Exhibit A" herunto attached and made a part of this conveyance. And whereas, at the time and place so noticed, to wit: at twelve o'clock noon of Saturday the fifth day of October A. D. 1907, at the front door of the County Court House in the City of San Jose, County of Santa Clara, State of California, judging it necessary and expedient to sell the real property in one parcel as described in said Deed of Trust, and default having been made in the payment of said principal sum and interest thereon, and the amount then due, owing, payable and unpaid to said J. J. Sontheimer and to said trustees, and the costs and expenses of said sale and of the trust and counsel fees and principal and interest of said Note aggregating and being on the date last aforesaid, the sum of \$5675.00 in United States Gold Coin, the said parties of the first part herein as such trustees did sell the whole of said real property hereinbefore described in one parcel at public auction to J. J. Sontheimer the party of the second part herein, for the sum of \$5675, in United States Gold Coin, said sum being the highest and best sum offered or bid for said real property, and whereas said J. J. Sontheimer has made payment to said trustees of the said sum so offered and bid by him, to wit: \$5675, and is entitled to a conveyance of said premises so sold.

NOW THEREFORE, in consideration of the foregoing and of said sum of \$5675 in United States Gold Coin to them paid as aforesaid, and pursuant to said Deed of Trust and the powers, authorities and estates held by them thereunder, and in order fully to accomplish the objects of said trust, the said parties of the first part herein, as trustees as aforesaid do hereby grant, bargain, sell, convey and confirm unto the said J. J. Sontheimer his heirs and assigns forever, all of the said real property hereinbefore particularly described, and all the right, title and interest therein which the said Nicolas DeBar and Eva DeBar, his wife, or either of them had at the time of the execution and delivery and recordation of said Deed of Trust, and all the right, title and interest therein which said Nicolas DeBar and Eva DeBar or either of them have since acquired.

TO HAVE AND TO HOLD said above described property with the appurtenances thereto appertaining or in anywise belonging, unto said J. J. Sontheimer, his heirs and assigns forever.

IN WITNESS WHEREOF, said parties of the first part, as trustees as aforesaid have hereunto set their hands and seals, the day and year first above written.

Gustave Nelson (SEAL)

C. W. Quilty (SEAL)

Signed, Sealed and Delivered in presence of

Geo. D. Smith

Mrs C. J. Wolfe

STATE OF CALIFORNIA, )  
COUNTY OF SANTA CLARA. ) ss.

On this Fifth day of October in the year one thousand nine hundred and seven, before me, George D. Smith, a Notary Public in and for said County of Santa Clara, residing therein, duly commissioned and sworn personally appeared Gustave Nelson and C. W. Quilty, trustees, whose names are subscribed to the foregoing instrument as parties thereto, known to me to be the persons described as trustees and whose names are subscribed to the within instrument and acknowledged to me that they executed the same as trustees as therein set forth.

WITNESS my hand and official seal at my office in said County of Santa Clara,

the day and year first above written.

George D. Smith, Notary Public

(NOTARIAL SEAL) in and for Santa Clara County, State of California.

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"EXHIBIT A".

IN THE SUPERIOR COURT

OF THE

COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

In the Matter of the Trust Deed of

Nicolas DeBar and wife to Gustave Nelson

and C. W. Quilty.

STATE OF CALIFORNIA,     )  
COUNTY OF SANTA CLARA.   ) ss.

C. W. Williams, being first duly sworn, deposes and says: That at all times hereinafter mentioned he was a citizen of the United States, over the age of eighteen years, and a resident of said county, and was at and during all said times the printer and publisher of The Evening News, a newspaper of general circulation printed and published daily in the City of San Jose, in said County of Santa Clara, State of California; that said The Evening News is and was at all times herein mentioned, a newspaper of general circulation as that term is defined by Section 4460 of the Political Code, and, as provided by said section, is published for the dissemination of local and telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers, and is not devoted to the interests, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction of any number of such classes, professions, trades, callings, races, or denominations; that at all said times said newspaper had been established, printed and published in the said City of San Jose, in said County, and State at regular intervals for more than one year preceding the first publication of the notice herein mentioned; that said notice was set in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil, describing and expressing in general terms, the purport and character of the notice intended to be given; that the Notice of Trustees' Sale of which the annexed is a printed copy, was published and printed in said newspaper at least 24 days, commencing on the 11th day of September 1907, and ending on the 4th day of October 1907, both days inclusive, Sundays, excepted, and as often during said time as said newspaper was regularly issued.

C. W. Williams

Subscribed and sworn to before me this 5th day of October 1907.

H. W. McComas, Notary Public

(NOTARIAL SEAL) in and for Santa Clara County, California.

NOTICE OF TRUSTEE'S SALE.

---oOo---

NOTICE IS HEREBY GIVEN THAT WHEREAS, Nicolas de Bar and Eva de Bar, his wife, of the County of Santa Clara, State of California, have on the 20th day of May 1905, executed acknowledged and delivered to the undersigned Gustave Nelson and C. W. Quilty as trustees for J. J. Ronzheimer a certain deed of trust of that date, now of record in the office of the County Recorder of said county, in Book 5 of Trust Deeds, at page 26, and following embracing and covering certain real property hereinafter particularly described, to secure the payment of certain indebtedness of said Nicolas de Bar and Eva de Bar, his

dRIJ

wife, to said J. J. Sontheimer.

AND WHEREAS, the said J. J. Sontheimer the holder and owner of said deed of trust and promissory note, to secure the payment of which said deed of trust was executed, has in writing requested and directed, the undersigned, Gustave Nelson and C. W. Quilty as trustees under said deed of trust to notice for sale and to sell the real property described in said deed of trust to accomplish the objects of said trust in the manner in said deed of trust provided and to apply the proceeds thereof to the payment of said indebtedness due to said J. J. Sontheimer from said Nicolas de Bar and Eva de Bar, and also all other payments, charges and disbursements in and by said deed of trust provided to be paid, and

WHEREAS default has been made in the payment of said indebtedness and there is now due, owing and payable to said J. J. Sontheimer on principal and unpaid interest the sum of \$5560 and the conditions and provisions of said deed of trust have not been performed.

NOW, THEREFORE, we, the undersigned as trustees as aforesaid, in accordance with the terms of said deed of trust and under the authority conferred upon us and in pursuance of said application and request of said J. J. Sontheimer do hereby give public notice that on Saturday, the 5th day of October, 1907, at the front door of the County Court House of the County of Santa Clara, in the City of San Jose, in said County, at 12 o'clock noon, on that day, we will sell at public auction to the highest and best bidder for cash in gold coin of the United States the premises in said deed of trust mentioned and hereinafter particularly described and we, the trustees aforesaid, judging it necessary and expedient to sell the whole of said property at one time and in one parcel do hereby give public notice that at said time and place last aforesaid and upon the terms aforesaid, we will sell the whole of said premises in one parcel, and that upon the payment to us, the said trustees, of the purchase price we will execute and deliver to the purchaser at said sale a conveyance of the premises, as in and by said deed of trust provided.

THE SAID trust premises and property are particularly described as follows, viz: beginning at the northwest corner of the southeast quarter of the northeast quarter of Section 15, Township 7, South Range 1 West, M. D. M. which said corner is also the northeast corner of land of L. G. Hurlburt and from thence running south along the east boundary line of said land of L. G. Hurlburt nine (9) chains, thence at right angles east along the north line of the land of F. C. Hurlburt and land of E. S. Morrow twenty (20) chains to the Santa Clara and Santa Cruz road; thence north along said road nine (9) chains to the northeast corner of the southeast quarter of the northeast quarter of said Section 15; and thence west twenty (20) chains to the place of beginning. Containing 18 acres, more or less.

TOGETHER with all the improvements and appurtenances thereunto belonging.

Terms and conditions of sale: Cash in gold coin of the United States, ten per cent payable to the undersigned at the time of sale, and the balance on delivery of deed, and if not so paid then the ten per cent to be forfeited and the sale to be void. Said J. J. Sontheimer (being the owner and holder of the indebtedness secured by said deed of trust) or any other person, may purchase at said sale.

Acts of sale at purchaser's expense. Said sale is absolute, and the purchaser on delivery of deed is entitled to the immediate possession of said premises and also of the rents, issues and profits thereof, from and after the date of said sale.

Dated, San Jose, California, September 11th, 1907.

C. W. Quilty,  
Gustave Nelson,

Trustees.

320

422

FILED for Record at the Request of J. J. Sonthheimer Oct. 7 A. D. 1907 at 5 min. past 9 o'clock A. M.

DANIEL J. FLANNERY, Recorder.

E. G. EMERSON, Deputy recorder.

W. W. MOORE TO J. W. CHILTON

W. W. MOORE

TO

J. W. CHILTON

THIS INDENTURE, made the Twenty-ninth day of August in the year of our Lord nineteen hundred and seven, Between W. W. Moore, unmarried of Exeter of the County of Devonshire, England, the party of the first part, and J. W. Chilton of the County of Santa Clara, State of California, the party of the second part, WITNESSETH: THAT the said party of the first part, for and in consideration of the sum of Ten Dollars, Gold Coin of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all those certain lots, pieces or parcels of land, situate, lying and being in the County of Santa Clara, State of California, and bounded and particularly described as follows, to wit:

THE Northerly  $1/2$  of Lot numbered 7, of the Titus and Langtry Tract, being a portion of the Quito Rancho according to a map thereof duly recorded in the Office of the County Recorder in Book "E" of Maps, at page 117, Records of Santa Clara County, State of California, containing 10 acres of land.

BEGINNING at a stake marked S. 2 on the North line of Lot No. 7 N.  $87^{\circ} 1' W.$  7.21 chs. from the center line of Titus Avenue; running thence parallel to said Avenue N.  $2^{\circ} 59' E.$  20.74 chs. to the center line of the Prospect Road from which a stake marked W. P. S. bears S.  $2^{\circ} 59' W.$  20 feet distant thence along the center of said road N.  $88^{\circ} 2' W.$  4.83 chs. to a point from which a stake marked W.P.S.1 bears S.  $2^{\circ} 59' W.$  20 feet distant; thence S.  $2^{\circ} 59' W.$  20.66 chs. to a stake marked S. 3 on the North line of said lot 7 and thence along the North line of said lot S.  $87^{\circ} 1' E.$  4.83 chs. to the place of beginning. Containing 10 acres of land and being portions of Lots No. 8 and 9 as shown on a map of the Subdivision of the Titus and Langtry Tract now of record in the Recorder's Office of Santa Clara County, in Book E. of Maps, page 117 et seq.

TOGETHER with all and singular the tenements, hereditaments and appurtenances therunto belonging or in any wise appertaining.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand the day and year first above written.

William Whately Moore

Signed, Executed and Delivered in the Presence of Edmund W. Luke

5 Bampfylde Street,

Notary Public

Exeter, England.

COUNTY AND CITY OF EXETER,

ENGLAND.

On this Seventeenth day of September One

Thousand nine hundred and seven, before me, Edmund William Luke, of Number 5 Bampfylde Street in the County of the City of Exeter a Notary Public in and for said County and City residing therein duly commissioned and sworn personally appeared William Whately

[Mr. Thompson, Attorney General, Washington, D.C.]  
 Dear Sir: I have the honor to acknowledge the receipt of your letter of the 10th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.





in and for the County of Santa Clara, personally appeared Margaret P. Osborne and A. M. Osborne known to me to be the persons whose names are subscribed to the foregoing instrument, and they acknowledged to me that they executed the same.

(NOTARIAL SEAL)

Robert A. Patjo, Notary Public of the State of California, in and for the County of Santa Clara.

FILING NO. 2005

Filed for record at the request of San Jose Abstract & Title Insurance Co Sept 12 A. D. 1921 at 20 min past 4 o'clock P. M.

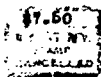
D. J. FLAHERTY RECORDER

Syl C. Tully Deputy Recorder

Compared by *E. J. Tully*

and *M. Sullivan*

RECEIVED FOR RECORD SEP 12 1921



ETHEL CLAYTON ET AL

TO

LOUIS SOMVIKSEN

THIS INSTRUMENT made the 11th day of July in the year of our Lord, one thousand nine hundred and twenty-one between Ethel Clayton and Anna Florence Clayton, both unmarried, of the County of Santa Clara, State of California, parties of the first part and Louis Somviksen, of the County of Santa Clara, State of California, the party of the second part.

WITNESSETH: That the said parties of the first part for and in consideration of the sum of Ten (\$10.00) Dollars in Gold Coin of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, doth grant, bargain, and sell, convey and confirm unto the said party of the second part and to his heirs and assigns forever, all those certain pieces or parcels of land lying and being in the City of San Jose, County of Santa Clara, State of California, bounded and described as follows, to-wit:

Lots Numbered Twenty-seven (27), Twenty-eight (28) and Twenty-nine (29) of the Sycamore Tract No. 2 as shown upon the map of said Tract of record in the office of the County Recorder of the County of Santa Clara, State of California, in Book P of Maps, at page 4.

Together with all and singular the tenements, hereditaments and appurtenances, thereunto belonging or in anywise appertaining, upon the condition that the party of the second part, his heirs, successors or assigns, must comply with the following restrictions and reservations to-wit:

That no house to be erected on said property shall cost less than \$5000 or be nearer the front line thereof than 12 feet;

That no house from any other location shall be moved on to said property;

That any barn, garage or out-house to be erected on said property shall be in the extreme rear thereof;

That said property must not be sold to any person not of the Caucasian race;

That said property shall not be used for other than residence purposes prior to 1950.

54-OR-492

MARGARET P. OSBORNE ET VIR

TO

STATE OF CALIFORNIA

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and affixed their seals the day and year first above written.

DEED

THIS INDENTURE made this 21st day of January A.D. 1924 by and between Margaret P. Osborne and A. E. Osborne, her husband of the County of Santa Clara, State of California, as parties of the first part, and the State of California, as party of the second part.

WITNESSETH: That the said parties of the first part for and in consideration of ten dollars (\$10) gold coin of the United States to them in hand paid by the said party of the second part, and other good and valuable consideration, receipt whereof is her by acknowledged do by these presents, grant, bargain, sell and convey unto the said party of the second part all that certain piece or parcel of land situate in the County of Santa Clara, State of California bounded and particularly described as follows to-wit:

"Beginning at the N. E. corner of the S. E.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of Sec. 15 in T. 7 S. of Range 1 W. M. D. 2., and running thence southerly along the section line 361.6 feet to a point, thence westerly at right angles 430.2 feet more or less, to a point situate on the easterly boundary of a certain 3 acre tract heretofore conveyed by said first parties to the State of California by deed recorded on or about the 12th day of September 1921, thence northerly along said boundary line and a continuation thereof 361.6 feet more or less to the northerly line of said N. E.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of said section 15 and running thence easterly along said line last mentioned 430.2 feet more or less to the point of beginning and containing 3.57 acres of land."

TOGETHER with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises together with the appurtenances unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, said parties of the first part have hereunto set their hands and affixed their seals the day and year first above written.

Margaret P. Osborne(SEAL)

A. E. Osborne(SEAL)  
(her husband)

STATE OF CALIFORNIA )  
SS.  
COUNTY OF SANTA CLARA)

On this 21st day of January 1924 A.D. before me F. C. Roll  
a Notary Public in and for the County of Santa Clara,  
State of California, personally appeared Margaret P. Osborne and A. E. Osborne, her husband  
known to me to be the persons whose names are subscribed to the foregoing instrument  
and they acknowledged to me that they executed the same.

(NOTARIAL SEAL)

F. C. Roll, Notary Public in and for the County of Santa  
Clara, State of California.

FILED NO. C 1651

Filed for record at the request of Grantee Jan 22 1924 at 1 min. past 12 o'clock

D. J. FLANNERY

Recorder

Notary Public

Deputy Recorder

NOTARIAL SEAL

MARGARET P. OSBORNE ET VIR TO STATE OF CALIFORNIA

\*\*\*\*\*

DEED

THIS INDENTURE made this 21st day of January A.D. 1924 by and between Margaret P. Osborne and A. E. Osborne, her husband of the County of Santa Clara, State of California, parties of the first part and the State of California, the party of the second part,

WITNESSETH: That the said parties of the first part for and in consideration of the due execution and delivery to them of a deed conveying to the said Margaret P. Osborne, Lots thirty-seven (37) and thirty-eight (38) in Calwalladers survey of the Village of Evergreen, as surveyed by Herman Brothers, March 1887 and recorded in book "B" of Maps, page 56 et seq., Santa Clara County Records, on March 24, 1887 which said tract contains five and thirty one-hundredths (5.31) acres, more or less, which said property was formerly owned and used by the Women's Relief Corps Home of California heretofore, made executed and acknowledged and delivered by the members of the Board of Control of the State of California pursuant to the power and authority conferred upon them in and by the provisions of chapter 187 of California Statutes of 1923 the receipt whereof is hereby acknowledged do by these presents grant, bargain, sell and convey unto the said party of the second part all that certain piece or parcel of land situate, lying and being in the County of Santa Clara, State of California which is particularly bounded and described to-wit:

"Beginning at a point two hundred fifty-two and six tenths (252.6) feet south of the center of the northeast quarter of section fifteen, township seven south, range one west; thence southerly three hundred forty-one and four-tenths (341.4) feet; thence east three hundred eighty-two and eight-tenths (382.8) feet; thence north three hundred forty-one and four-tenths (341.4) feet; thence west three hundred eighty-two and eight-tenths (382.8) feet to the point of beginning and containing three acres more or less "

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises together with the appurtenances unto the said party of the second part and to its successors and assigns forever

IN WITNESS WHEREOF, the parties of the first part have herunto set their hands and affixed their seals the day and year first above written.

Margaret P. Osborne, (SEAL)

A. E. Osborne, (SEAL)  
(her husband)

STATE OF CALIFORNIA )  
                          SS.  
COUNTY OF SANTA CLARA)

On this 21st day of January A.D. 1924 before me F. G. Roll a Notary Public of the State of California, County of Santa Clara, personally appeared Margaret P. Osborne and A. E. Osborne, her husband known to me to be the persons whose names are subscribed to the foregoing instrument and they acknowledged to me that they execute the same.

IN WITNESS WHEREOF,

F. G. Roll, Notary Public in and for the County of Santa Clara, State of California.

1000 first above written.

(NOTARIAL SEAL)

Richard V. Bressani, Notary Public in and for the  
County of Santa Clara, State of California

FILE NO. 2003

Filed for record at the request of P. Damsi Sept 12 A. D. 1921 at 10 min  
past 4 o'clock P. M.

D. J. FLANNERY RECORDER

By J. B. OGDEN Deputy Recorder

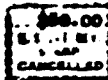
Compared by *E. H. H. H.*

and *M. H. H. H.*

MARGARET P. OSBORNE ET VIR

TO

STATE OF CALIFORNIA



D E E D

THIS MORTGAGE made the 7th day of July 1921, by and between Margaret P. Osborne and I. E. Osborne, her husband, of the County of Santa Clara, State of California, parties of the first part and the State of California, the party of the second part.

WITNESSETH: That the said parties of the first part for and in consideration of the sum of ten dollars (\$10) gold coin of the United States, to them in hand paid by the said party of the second part, and other good and valuable consideration, receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said party of the second part all that certain piece or parcel of land together with the improvements thereon, situate in the County of Santa Clara, State of California, bounded and described as follows, to wit:

"Beginning at the N E corner of S E 1/4 of the S E 1/4 S 15. T 7 S. R 1 E. N. M. D. S. & M.; thence S 84.5°; thence W 30° to an iron pipe set in a fence line; the last named point being the point of beginning of the description of the tract of land herein described; thence from said point of beginning N. 69° 21' W. 400.3' to an iron pipe; thence N 0° 18' E 254.2' to an iron pipe; thence N. 69° 32' W 508.3' to an iron pipe; thence S 0° 1' W 499.2' to an iron pipe set in a fence line, thence S 69° 30' E 907.3' along said fence to a 4" x 4" redwood stake set in a fence corner; thence S 23.4° along a fence line to the point of beginning. The iron pipes herewithin mentioned shall be galvanized iron pipes set 4' in the ground equipped with caps marked

containing eight acres more or less together with all and singular the improvements, hereditaments and appurtenances thereto belonging or in anywise appertaining, unto the said party of the second part and to its successors and assigns, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises together with the appurtenances unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and affixed their seals the day and year first above written.

Margaret P. Osborne  
(her husband)

On this 7th day of July, 1921, before me, Robert A. Bressani, a Notary Public in the State of California

in and for the County of Santa Clara, personally appeared Margaret P. Osborne and A. E. Osborne known to me to be the persons whose names are subscribed to the foregoing instrument, and they acknowledged to me that they executed the same.

(NOTARIAL SEAL)

Robert A. Patjo, Notary Public of the State of California, in and for the County of Santa Clara.

FILE NO. 2006

Filed for record at the request of San Jose Abstract & Title Insurance Co Sept 12 A. D. 1921 at 20 min past 4 o'clock P. M.

D. J. FLANNERY RECORDER

Syl C. Tully Deputy Recorder

Compared by *E. Thomsen*

and *McMillan*

ETHEL CLAYTON ET AL

TO

LOUIS SCHMIDTKE



THIS MORTGAGE made the 11th day of July in the year of our Lord, one thousand nine hundred and twenty-one between Ethel Clayton and Anna Florence Clayton, both unmarried, of the County of Santa Clara, State of California, parties of the first part and Louis Schmidtke, of the County of Santa Clara, State of California, the party of the second part.

WITNESSETH, That the said parties of the first part for and in consideration of the sum of Ten (\$10.00) Dollars in Gold Coin of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, doth grant, bargain, sell, convey and confirm unto the said party of the second part and to his heirs and assigns forever, all those certain pieces or parcels of land lying and being in the City of San Jose, County of Santa Clara, State of California, bounded and described as follows, to-wit:

Lots Numbered Twenty-seven (27), Twenty-eight (28) and Twenty-nine (29)

of the Symore Tract No. 3 as shown upon the map of said Tract of record in the office of the County Recorder of the County of Santa Clara, State of California, in Book 2 of Maps, at page 4.

Together with all and singular the tenements, hereditaments and appurtenances, thereto belonging or in anywise appertaining, upon the condition that the party of the second part, his heirs, executors or assigns, must comply with the following restrictions and reservations to-wit:

That no house to be erected on said property shall cost less than \$1000 or be nearer the front line thereof than 15 feet;  
That no house from any other location shall be moved on to said property;  
That any barn, garage or out-house to be erected on said property shall be in the extreme rear thereof;

That said property must not be sold to any person not of the Caucasian race;  
That said property shall not be used for other than residence purposes.

Prior to 1920

FILING NO. 7 1853

Filed for record at the request of Grantee Jan 29 1924 at 3 min. past  
12 o'clock P.

D. J. PLANNERY

RECORDER

Syl C. Tully

Deputy Recorder

compared by *J. H. ...*

and

THE CONGREGATIONAL CHURCH BUILDING SOCIETY TO THE CONGREGATIONAL CHURCH  
OF PALO ALTO

THE CONGREGATIONAL CHURCH BUILDING SOCIETY OF THE CITY OF NEW YORK  
doth hereby certify: That a certain Indenture of Mortgage bearing date the 19th  
day of March in the year one thousand nine hundred and twelve made and executed  
by The First Congregational Church of Palo Alto, California to the said The  
Congregational Church Building Society, to secure the payment of the sum of  
twenty-five hundred dollars, and duly recorded in the office of the Recorder of  
the County of Santa Clara, State of California in Liber 211 of Mortgages, page  
47 on the 13th day of May in the year one thousand nine hundred and twelve at  
two o'clock fifty-nine minutes, in the afternoon is paid and doth hereby consent  
that the same be discharged of record.

IN WITNESS WHEREOF, The said The Congregational Church Building Society  
has hereunto caused its corporate seal to be affixed and these presents to be  
subscribed by its Treasurer at the City of New York in the 14th day of January  
1924.

(CORPORATE SEAL)

THE CONGREGATIONAL CHURCH BUILDING SOCIETY

by Chas. H. Baker, Treasurer

In presence of

J. H. ...

J. H. ...

STATE OF NEW YORK )  
COUNTY OF ... )  
ss.

On the 14th day of January in the year one  
thousand nine hundred and twenty-four before me  
personally came Chas. H. Baker to be known who being by me duly sworn, did  
testify and depose that he resided in Montclair, New Jersey; that he is the Treasurer  
of The Congregational Church Building Society, the Corporation incorporated in and  
which executed the above instrument; that he knew the Seal of said Corporation;  
that the seal affixed to said instrument was such Corporate Seal; that it was so  
affixed by the proper officers of said Corporation and that he signed  
the same as Treasurer of said Corporation.

Witness my hand and seal, this 14th day of January

54-GR-494  
FILING C. S. 1855

Filed for record at the request of Grantee Jan 26 1924 at 2 min. past  
12 o'clock M.

D. J. PLANNERY

RECORDER

Syl C. Tully

Deputy Recorder

compared by *J. K. ...*

and *J. K. ...*

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

MARGARET P. OSBORNE ET VIR

TO

STATE OF CALIFORNIA

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

DEED

THIS INDENTURE made the 2nd day of August, 1921 by and between Margaret P. Osborne and A. E. Osborne, her husband of the County of Santa Clara, State of California parties of the first part, and the State of California, the party of the second part,

WITNESSETH: That the said parties of the first part for and in consideration of the sum of ten dollars (\$10) gold coin of the United States to them in hand paid by the said party of the second part, and other good and valuable consideration receipt whereof is hereby acknowledged do by these presents, grant, bargain, sell and convey unto the said party of the second part all that certain piece or parcel of land together with the improvements thereon, situate in the County of Santa Clara, State of California, bounded and described as follows, to-wit:

Beginning at the center of the E. E.  $\frac{1}{4}$  of Sec. 15, T. 7 S. R. 1. W. thence South 252.0 East 362.5 feet, North 141.5 feet, East 506.3 feet, North 105.4 feet, thence West 569.5 feet along the North line of the S. E.  $\frac{1}{4}$  of the N.E.  $\frac{1}{4}$  of Sec. 15 T 7 S. R. 1. W., to the point of beginning.

Containing 3.43 acres more or less together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining and the reversion and reversions, remainders and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises together with the appurtenances unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and affixed their seals the day and year first above written.

Margaret P. Osborne (SEAL)

A. E. Osborne (SEAL)  
(her husband)

STATE OF CALIFORNIA )  
COUNTY OF SANTA CLARA )  
S. )  
On this 2nd day of August 1921 before me Robert A. Fatio a Notary Public of the State of California, in and for the County of Santa Clara, personally appeared Margaret P. Osborne and A. E. Osborne (her husband) known to me to be the persons whose names are subscribed to the foregoing instrument and they acknowledged to me that they executed the same.

Witness my hand and official seal at my office in said County of Santa Clara, California, this 2nd day of August 1921.  
Robert A. Fatio  
Notary Public



$$d^2\mathcal{L}/d\alpha^2 = 2\mathcal{L} \Rightarrow \mathcal{L} = C_1 e^{\alpha} + C_2 e^{-\alpha} \Rightarrow \mathcal{L} = \frac{1}{2} e^{\alpha} + \frac{1}{2} e^{-\alpha} = \cosh \alpha$$

# TRACT #3

DEED

1 THE UNDERSIGNED, made this 2nd day of January A.D. 1934, by and between THE H. P. OGP and A. C. H. H., her husband, of the County of Santa Clara, State of California, as parties of the first part, and the State of California, as party of the second part;

## WITNESSETH:

2 That the said parties of the first part for and in consideration of ten dollars (\$10) well coin of the United States, to them in hand paid by the said party of the second part, and other good and valuable consideration, receipt whereof is hereby acknowledged, do by these presents Grant, bargain, sell and convey unto the said party of the second part all that certain piece or parcel of land situate in the County of Santa Clara, State of California, bounded and particularly described as follows, to-wit:

"Beginning at the N. W. corner of the S. E. 1/4 of the H. E. 1/4 of Sec. 15 in T. 7 S. of Range 1 E. section line 361.6 feet to a point, thence southerly at right angles 430.2 feet more or less to a point situate on the easterly boundary of a certain 8 acre tract heretofore conveyed by said first parties to the State of California by deed recorded on or about the 12th day of September, 1921, thence northerly along said boundary line and a continuation thereof 361.6 feet more or less to the northerly line of said S. E. 1/4 of the H. E. 1/4 of said section 15 and running thence easterly along said line last mentioned 430.2 feet more or less to the point of beginning and containing 3.57 acres of land."

Together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in any wise in anywise, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the above premises together with the appurtenances unto the said party of the

1 second part and to its successors and assigns forever.

2 IL. FIVE SS. CLARA said parties of the first part  
3 have herunto set their hands and affixed their seals the day  
4 and year first above written.

5  
6 Margaret P. Osborne (M.H.)

7  
8 J.E. Osborne (M.H.)  
9 (Her husband)

10  
11 ----oo----

12  
13 STATE OF CALIFORNIA, }  
14 County of Santa Clara. } ss.

15  
16 On this 21<sup>st</sup> day of January, 1924, A. D. before  
17 me J.P. Roll, a Notary Public in and for  
18 the County of Santa Clara, State of California, personally  
19 appeared MARGAR T P. OSBORNE and J. E. OSBORNE, her husband,  
20 known to me to be the persons whose names are subscribed to the  
21 foregoing instrument and they acknowledged to me that they  
22 executed the same.

23 J.P. Roll  
24 Notary Public in and for the County of  
25 Santa Clara, State of California.

762-1851

69-00003

DEED

MARGARET P. OSBORNE and  
A. E. OSBORNE  
to  
THE STATE OF CALIFORNIA.

RECORDED WITH  
STATE BOARD OF CONTROL  
THE 29<sup>th</sup> DAY OF  
February 1924  
PROPERTY AGENT  
L. E. Calhoun

CONTINUED

FILED  
In the office of the Secretary of State  
OF THE STATE OF CALIFORNIA

MAR 1 1924

FRANK J. JORDAN  
By Frank J. Jordan SECRETARY OF STATE

copy of deed to be  
sent to Board of Control  
for recording

Dated Jan 28 1924

|                                     |                                     |
|-------------------------------------|-------------------------------------|
| INDEXED                             | FILED                               |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

Filed for record at the County Clerk's Office of  
San Diego  
JAN 28 1924  
1 min. post. 154  
Recorded in Volume 54 of Official  
Records, page 492, Santa  
County Records  
L. E. Calhoun, Recorder

1 This instrument, made this 21st day of January,  
 2 1924, by and between William F. Clark, of the County of Santa Clara, State of California,  
 3 her husband, of the County of Santa Clara, State of California,  
 4 Parties of the first part and the San Joaquin River, the  
 5 Party of the second part;

WITNESSETH:

7 That the said Parties of the first part, at and in  
 8 consideration of the due execution and delivery to them of a  
 9 deed conveying to the said San Joaquin River, its thirty-  
 10 seven (37) and thirty-eight (38) in California survey of the  
 11 Village of Overgreen, as surveyed by Herman Bealman, Esq.,  
 12 1897, and recorded in book "B" of Maps, page 26 of said Santa  
 13 Clara County Records, on March 21, 1897, which said tract  
 14 contains five and thirty one-hundredths (5.36) acres, more or  
 15 less, which said property was formerly owned and used by the  
 16 Woman's Relief Corps Home of California, heretofore made,  
 17 executed acknowledged and delivered by the members of the Board  
 18 of Control of the State of California pursuant to the power  
 19 and authority conferred upon them in and by the provisions  
 20 of chapter 187 of California Statutes of 1923, the receipt  
 21 whereof is hereby acknowledged, do by these presents grant,  
 22 bargain, sell and convey unto the said party of the second  
 23 part all that certain piece or parcel of land situate, lying  
 24 and being in the County of Santa Clara, State of California,  
 25 which is particularly bounded and described as follows, to-wit:

"Beginning at a point ten hundred fifty-two and  
 six tenths (252.6) feet south of the center of the  
 northeast quarter of section fifteen, Tenth, Range  
 south, Range one west; thence southerly three hundred  
 forty-one and four-tenths (341.4) feet; thence east  
 three hundred eighty-two and eight-tenths (382.8) feet;  
 thence north three hundred forty-one and four-tenths  
 (341.4) feet; thence west three hundred eighty-two and  
 eight-tenths (382.8) feet to the point of beginning,  
 and containing three acres more or less."

1 Together with all and singular the tenements,  
2 hereditaments and appurtenances therunto belonging, or in any  
3 wise appertaining, and the reversion and reversions, remainder  
4 and remainders, rents, issues, and profits thereof.

5 TO HAVE AND TO HOLD all and singular the said  
6 premises together with the appurtenances unto the said party  
7 of the second part and to its successors and assigns forever.

8 IN WITNESS WHEREOF, the parties of the first part  
9 have hereunto set their hands and affixed their seals the day  
10 and year first above written.

11  
12 Margaret P. Osborne (S.S.A.)

13  
14 R. E. Osborne (S.S.A.)  
15 (Her Husband)

16 ---00---

17  
18 STATE OF CALIFORNIA, } ss.  
19 County of Santa Clara.

20 On this 21<sup>st</sup> day of January, 1928, before me,  
21 John a Notary Public of the State

22 of California, County of Santa Clara, personally appeared  
23 MARGARET P. OSBORNE and A. H. OSBORNE, her husband, known to  
24 me to be the persons whose names are subscribed to the foregoing  
25 instrument, and they acknowledged to me that they executed the  
26 same.

27  
28 John  
29 Notary Public in and for the County of  
30 Santa Clara, State of California.

767  
C-1852

DEED

MARGARET P. OSBORNE and

A. E. OSBORNE

to

THE STATE OF CALIFORNIA.

*Dept of Finance of Control  
State of Board of Control  
San Francisco  
Cal*

Dated \_\_\_\_\_ 192

GRANTED BY \_\_\_\_\_

At \_\_\_\_\_

\_\_\_\_\_ 1924

\_\_\_\_\_ 54

493

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

69-00003

REGISTERED WITH  
STATE BOARD OF CONTROL

THE 29th DAY OF

February 1924

PROPERTY AGENT

BY L. E. Calhoun

FILED

In the office of the Secretary of State  
OF THE STATE OF CALIFORNIA

MAR 1 1924

FRANK C. JORDAN

By Frank C. Jordan SECRETARY OF STATE

## RESOLUTION

RESOLVED, That this corporation, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, accept and does hereby accept a deed or deeds from the DIRECTOR OF FINANCE, STATE OF CALIFORNIA, covering all of that certain real property in the County of Santa Clara, State of California described as follows:

Beginning at County Surveyor's Station 39 + 56.42 on the Los Gatos-Santa Clara Road as marked by a brass plug in the center of the road, at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 15, Township 7 South, Range 1 West, Mt. Diablo Base and Meridian; thence South 0° 11' East, 370.2 feet along the center line of the Los Gatos-Santa Clara Road; North 89° 15' West 393.2 feet; North 26° 14' West 251.9 feet; North 89° 14' West, 117.5 feet; South 0° 16' West, 231.0 feet; South 89° 14' East, 80.0 feet; North 0° 16' East, 30.0 feet; South 89° 14' East, 257.8 feet; South 0° 16' West, 200.0 feet; N 87° 36' West, 724.90 feet along the northerly boundary of the property of P. E. Harlibert; North 0° 16' East, 554.1 feet to the center of the Northeast quarter of Section 15; thence South 89° 14' East, 1317.0 feet along the southerly line of the Prune Ridge Tract to the point of beginning.

Containing 12.24 acres, more or less, less county road right of way, 0.25 acres.

I, ROBERT M. UNDERHILL, Secretary of THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation, HEREBY CERTIFY that the foregoing is a full, true and correct copy of action of said corporation by resolution, taken at a duly called meeting thereof at which a quorum of said Regents was present and acting; that all present voted in favor of said resolution; that the said resolution has not been annulled or revoked, but is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the seal of the said corporation this 2 day of May, 1952.

*Robert M. Underhill*  
Secretary, The Regents of the University of California.

827799

BOOK 2498 PAGE 168

FILED FOR RECORD  
AT REQUEST OF

OCT 2 2 31 PM 1952

OFFICIAL RECORDS  
SANTA CLARA COUNTY*Charles A. Ryan*  
Recorder

OK



THIS INDENTURE made and entered into this 15<sup>th</sup> day of September, 1952, by and between the State of California, acting by and through the Director of Finance, hereinafter called Grantor, and The Regents of the University of California, hereinafter called Grantee,

WITNESSETH:

That the Grantor, pursuant to authority contained in Chapter 337, Statutes of 1951, has granted and conveyed and by these presents does hereby grant and convey unto Grantee for use in agricultural research that certain real property situate in the County of Santa Clara, State of California, particularly described as follows:

Beginning at County Surveyor's Station 39 + 66.12 on the Los Gatos-Santa Clara Road as marked by a brass pin in the center of the road, at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 15, Township 7 South, Range 1 West, Mt. Diablo Base and Meridian; thence South  $0^{\circ} 14'$  East, 170.2 feet along the center line of the Los Gatos-Santa Clara Road; North  $89^{\circ} 44'$  West 243.2 feet; North  $26^{\circ} 14'$  West 251.0 feet; North  $89^{\circ} 44'$  West, 117.5 feet; South  $0^{\circ} 16'$  West, 281.0 feet; South  $89^{\circ} 44'$  East, 60.0 feet; North  $0^{\circ} 16'$  East, 20.0 feet; South  $89^{\circ} 44'$  East 267.8 feet; South  $0^{\circ} 16'$  West, 200.0 feet; N  $89^{\circ} 36'$  West, 777.90 feet along the northerly boundary of the property of F. E. Hurlbert; North  $0^{\circ} 16'$  East, 594.1 feet to the center of the Northeast quarter of Section 15; thence South  $89^{\circ} 44'$  East; 1317.0 feet along the southerly line of the Prime Ridge Tract to the point of beginning.

Containing 12.34 acres, more or less, less county road right of way, 0.15 acres.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining, and the reversion or reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said Grantee forever.

Pursuant to said Chapter 397 it is hereby stated and declared that that portion of the property in said county known as Woman's Relief Corps Home of California containing 5.78 acres which is presently used by the facilities of said home is not included in this grant and conveyance nor in said description and shall remain subject to the jurisdiction and control of the Department of Veterans Affairs.

In the event The Regents of the University of California shall by resolution at any time determine that the whole or any part of the property granted and conveyed hereunder is no longer desirable or necessary for use in agricultural research, the fee title to said property described in such resolution shall revert to and vest in the State of California upon the recording of such resolution in the official records of the County of Santa Clara, State of California.

IN WITNESS WHEREOF, the State has caused these presents to be executed the day and year first above written.

STATE OF CALIFORNIA

*James S. Dean*

JAMES S. DEAN  
Director of Finance

47

SEP 17 1957

STATE OF CALIFORNIA }  
COUNTY OF SACRAMENTO } ss

On this 29th day of September, 1952,  
before me Willie Mettastick, a Notary Public in and  
for said County and State, personally appeared  
James S. Dean, known to me to be the

Director of Finance of the State of California that executed the within instrument, and also known to me to be the person who executed the within instrument on behalf of the State of California therein named and acknowledged to me that the State of California executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the said County and State aforesaid, the day and year in this certificate first above written.

Willie Mettastick  
Notary Public in and for the County  
of Sacramento, State of California  
My commission expires Nov. 27, 1955.

## RESOLUTION

RESOLVED, That this corporation, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, accept and does hereby accept a deed or deeds from the DIRECTOR OF FINANCE, STATE OF CALIFORNIA, covering all of that certain real property in the County of Santa Clara, State of California described as follows:

Beginning at County Surveyor's Station 39 & 66.42 on the Los Gatos-Santa Clara Road as marked by a brass plug in the center of the road, at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 15, Township 7 South, Range 1 West, Mt. Diablo Base and Meridian; thence South 0° 14' East, 370.2 feet along the center line of the Los Gatos-Santa Clara Road; North 89° 45' West 391.2 feet; North 26° 14' West 251.9 feet; North 89° 44' West, 117.5 feet; South 0° 16' West, 251.0 feet; South 89° 44' East, 60.0 feet; North 0° 16' East, 30.0 feet; South 89° 44' East, 257.8 feet; South 0° 16' West, 200.0 feet; N 89° 46' West, 724.90 feet along the northerly boundary of the property of F. E. Harbert; North 0° 16' East, 554.1 feet to the center of the Northeast quarter of Section 15; thence South 89° 44' East, 1117.0 feet along the southerly line of the Prune Ridge Tract to the point of beginning.

Containing 12.24 acres, more or less, less county road right of way, 0.25 acres.

I, ROBERT M. UNDERHILL, Secretary of THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation, HEREBY CERTIFY that the foregoing is a full, true and correct copy of action of said corporation by resolution, taken at a duly called meeting thereof at which a quorum of said Regents was present and acting; that all present voted in favor of said resolution; that the said resolution has not been annulled or revoked, but is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the seal of the said corporation this 9 day of May, 1952.

*Robert M. Underhill*  
Secretary, The Regents of the  
University of California.

827799

BOOK 2498 PAGE 168

FILED FOR RECORD  
AT REQUEST OF

Oct 2 '2 31 A 1952

OFFICIAL RECORDS  
SANTA CLARA COUNTY

RECORDED

2393103

BOOK 6003 PG 8

DEED

THIS INDENTURE made and entered into this 18th day of March, 1963,  
by and between the State of California, acting by and through the Director of  
Finance, hereinafter called Grantor, and The Regents of the University of Calif-  
ornia, hereinafter called Grantee,

WITNESSETH:

That the Grantor, pursuant to authority contained in Chapter 337,  
Statutes of 1951, has granted and conveyed and by these presents does hereby  
grant and convey unto Grantee for use in agricultural research that certain  
real property situate in the County of Santa Clara, State of California, par-  
ticularly described as follows:

Situate in the southeast 1/4 of the northeast 1/4 of Section 15,  
T7S, R1W, M28&M, Santa Clara County, California, described as follows:

Commencing at County Surveyor's Station 39+66.42 on the Los Gatos-  
Santa Clara Road as marked by a brass plug in the center of the road, at  
the northeast corner of the southeast 1/4 of the northeast 1/4 of Section  
15; thence South 0° 14' East 370.2 feet along the center line of the Los  
Gatos-Santa Clara Road and North 89° 45' West 30.00 feet to the TRUE POINT  
OF BEGINNING of this description; thence North 89° 45' West 363.2 feet; thence  
North 26° 14' West 251.9 feet; thence North 89° 44' West 417.5 feet; thence  
South 0° 16' West 281.0 feet; thence South 89° 44' East 60.0 feet; thence  
North 0° 16' East 30.0 feet; thence South 89° 44' East 267.8 feet; thence  
South 0° 16' West 200.0 feet to the South line of that certain parcel of  
land conveyed to the State of California by M. P. Osborne by Deed dated  
September 12, 1921; thence South 89° 36' East along said South line 385  
feet more or less to a point 212.00 feet West of said Centerline of Los  
Gatos-Santa Clara Road measured along said South line and its easterly  
prolongation; thence North 0° 14' West parallel with Los Gatos-Santa Clara  
Road, 130.00 feet; thence South 89° 36' East parallel with said South line  
182.00 feet; thence North 0° 14' West 97.0 feet to the point of beginning,  
containing 5.08 acres more or less.

Together with all and singular the tenements, hereditaments, and  
appurtenances thereunto belonging, or in any wise appertaining, and the reversion  
or reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with  
the appurtenances, unto the said Grantee forever.

2393103  
BOOK 6003 PG 8

Regents of the University of California

APR 23 12 05 PM 1963

RECORDED  
INDEXED

5141

Pursuant to said Chapter 337 it is hereby stated and declared that the portion of the property in said county known as the Department of Veterans Affairs Office Building, Santa Clara, containing approximately .543 acres which is presently used by the Department of Veterans Affairs is not included in this grant and conveyance nor in said description and shall remain subject to the jurisdiction and control of the Department of Veterans Affairs.

In the event The Regents of the University of California shall by resolution at any time determine that the whole or any part of the property granted and conveyed hereunder is no longer desirable or necessary for use in agricultural research, the fee title to said property described in such resolution shall revert to and vest in the State of California upon the recording of such resolution in the official records of the County of Santa Clara, State of California.

IN WITNESS WHEREOF, the State has caused these presents to be executed the day and year first above written.

HALE CHAMPION  
DIRECTOR OF FINANCE

By *Robert L. Harkness*  
Robert L. Harkness  
Deputy Director

APPROVED:

*H. C. Vincent, Jr.*  
H. C. Vincent, Jr., Chief  
Property Acquisition Division

*Thomas M. Clayton*  
Thomas M. Clayton  
Senior Counsel

STATE OF CALIFORNIA )  
County of Sacramento ) ss

On this 18th day of March, 1963, before me, Grace H. Rader, a Notary Public in and for the County of Sacramento, State of California, personally appeared Robert L. Harkness, known to me to be the Deputy Director of Finance of the State of California, and known to me to be the person who executed the within instrument on behalf of said State of California and acknowledged to me that he executed the same as the free act and deed of said State of California.

Witness my hand and official seal.

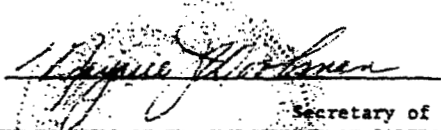
*Grace H. Rader*  
GRACE H. RADER, Notary Public,  
State of California - Principal Office, Sacramento County  
My Commission Expires December 31, 1964  
1108 "O" St. Room 312 S. Sacramento 14, Calif.

BOOK 6003 PG 10

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed, dated March 18, 1963, from the Director of Finance, State of California, to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a governmental agency, is hereby accepted by the undersigned officer on behalf of The Regents of the University of California pursuant to authority conferred by resolution of The Regents of the University of California adopted on April 19, 1963, and the grantee hereby consents to recordation thereof by its duly authorized officer.

Dated: April 25, 1963.

  
Secretary of  
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

DOCUMENT: 17075532

Pages: 4



\*0017075532\*

Fees \* No Fees  
Taxes..  
Copies  
AMT PAID

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE  
SHOWN BELOW, MAIL TAX STATEMENT TO

State of California  
Department of General Services  
P.O. Box 989052  
West Sacramento, CA 95798-9052  
Atten: Real Estate Services Division

BRENDA DAVIS  
SANTA CLARA COUNTY RECORDER  
Recorded at the request of  
First American Title Company

RDE # 004  
5/30/2003  
8:00 AM

TITLE ORDER NO. 303962 ESCROW NO. 611007ALA

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### QUITCLAIM DEED

APN: 303-17-048 & 049

No Recording Fee pursuant to Government Code 6103

THE UNDERSIGNED GRANTOR(S) DECLARE(S) DOCUMENTARY TRANSFER TAX is \$ 0  
pursuant to tax-exempt status of transferor and transferee.

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a California corporation ("GRANTOR"), does hereby quitclaim to THE STATE OF CALIFORNIA ACTING BY AND THROUGH ITS DEPARTMENT OF GENERAL SERVICES ("GRANTEE"), any right, title and interest in that certain real property in the County of Santa Clara, State of California, commonly known as the Bay Area Research and Extension Center and as further described on attached Exhibit 'A'.

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA, a California corporation

By: *Patricia L. Drutts*

Its: SECRETARY

Dated: *December 12, 2002*

TAX STATEMENTS AS DIRECTED ABOVE

APPROVED AS TO FORM

*Lloyd C. Lee*  
LLOYD C. LEE

UNIVERSITY COUNSEL OF THE REGENTS  
OF THE UNIVERSITY OF CALIFORNIA



## EXHIBIT 'A'

All that certain Real Property in the City of Santa Clara, County of Santa Clara, State of California, described as follows:

### PARCEL ONE:

Beginning at County Surveyor's Station 39 + 66.42 on the Los Gatos-Santa Clara road as marked by a brass plug in the center of the road, at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 15, Township 7 South, Range 1 West, Mt. Diablo Base and Meridian; thence South 0° 14' East, 370.2 feet along the center line of the Los Gatos-Santa Clara Road; North 89° 45' West 393.2 feet; North 26° 14' West 251.9 feet; North 89° 44' West, 417.5 feet; South 0° 16' West, 281.0 feet; South 89° 44' East, 60.0 feet; North 0° 16' East, 30.0 feet; South 89° 44' East 267.8 feet; South 0° 16' West, 200.0 feet; N 89° 36' West, 724.90 feet along the Northerly boundary of the property of F. E. Hurlbert; North 0° 16' East, 594.1 feet to the center of the Northeast quarter of Section 15; thence South 89° 44' East, 1317.0 feet along the Southerly line of the Prune Ridge Tract to the Point of Beginning.

### PARCEL TWO:

Commencing at County Surveyor's Station 39 + 66.42 on the Los Gatos-Santa Clara Road as marked by a brass plug in the center of the road, at the northeast corner of the southeast 1/4 of the northeast 1/4 of Section 15; thence South 0° 14' East 370.2 feet along the center line of the Los Gatos-Santa Clara Road and North 89° 45' West 30.00 feet to the True Point of Beginning of this description; thence North 89° 45' West 363.2 feet; thence North 26° 14' West 251.9 feet; thence North 89° 44' West 417.5 feet; thence South 0° 16' West 281.0 feet; thence South 89° 44' East 60.0 feet; thence North 0° 16' East 30.0 feet; thence South 89° 44' East 267.8 feet; thence South 0° 16' West 200.0 feet to the South line of that certain parcel of land conveyed to the State of California by M. P. Osborne by Deed dated September 12, 1921; thence South 89° 36' East along said South line 385 feet more or less to a point 212.00 feet West of said centerline of Los Gatos-Santa Clara Road measured along said South line and its Easterly prolongation; thence North 0° 14' West parallel with Los Gatos-Santa Clara Road, 130.00 feet; thence South 89° 36' East parallel with said South line 182.00 feet; thence North 0° 14' West 97.0 feet to the Point of Beginning.

**CERTIFICATE OF ACKNOWLEDGMENT**

STATE OF CALIFORNIA

COUNTY OF ALAMEDA

On DECEMBER 12, 2002 before me, Estelle Leighton Bryan, Notary Public,  
 personally appeared PATRICIA L. TRINITY



personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person or the entity on behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Estelle Leighton Bryan  
 Estelle Leighton Bryan, Notary Public

**OPTIONAL**

*Though the information is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attachment Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
 Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

RIGHT THUMB PRINT  
OF SIGNER  
Top of thumb here

Signer is Representing:

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
 Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

RIGHT THUMB PRINT  
OF SIGNER  
Top of thumb here

Signer is Representing:

**CERTIFICATE OF ACCEPTANCE**

**Agency** Department of General Services  
**Project** Bay Area Research Extension Center  
**Agency Parcel** SSL 610, DGS Parcel 10150

**Assessor's** 303-17-048 and 049  
**Parcel No.** County of Santa Clara

This is to certify that, pursuant to Sections 15853 and 27281 of the California Government Code, the interest in real property conveyed by the Quitclaim Deed dated December 12, 2002, from THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a California corporation, to the STATE OF CALIFORNIA ACTING BY AND THROUGH ITS DEPARTMENT OF GENERAL SERVICES ("GRANTEE"), is hereby accepted by the undersigned officer on behalf of the State Public Works Board pursuant to authority conferred by resolution of said Board duly adopted February 14, 2003, and the Grantee consents to the recordation thereof by its duly authorized officer.

*Note to Recorder: If this certificate is for a correction deed, all corrections and/or changes to the previously recorded deed must be reviewed and accepted by the State prior to recording a correction deed. All correction deeds require a new Certificate of Acceptance dated subsequent to recordation of the original deed or the most recent correction deed, if any.*

**Accepted**  
STATE OF CALIFORNIA  
State Public Works Board

By   
IRENE T. ANDERSON  
Assistant Administrative Secretary

Dated: April 15, 2003

**Consent**  
DIRECTOR, DEPARTMENT OF GENERAL SERVICES

By   
DWIGHT V. WEATHERS  
Assistant Chief  
Real Estate Services Section

Dated: April 15, 2003

TRACT B

DEED

Recorded April 29, 1963 as  
Document No. 2393103 in  
Book 6003, Page 8, Official  
Records of Santa Clara County

THIS INDENTURE made and entered into this 18th day of March, 1963,  
by and between the State of California, acting by and through the Director of  
Finance, hereinafter called Grantor, and The Regents of the University of California,  
hereinafter called Grantee,

W I T N E S S E T H :

That the Grantor, pursuant to authority contained in Chapter 337,  
Statutes of 1951, has granted and conveyed and by these presents does hereby  
grant and convey unto Grantee for use in agricultural research that certain  
real property situate in the County of Santa Clara, State of California, particularly  
described as follows:

Situate in the southeast 1/4 of the northeast 1/4 of Section 15,  
T7S, R1W, MDS&M, Santa Clara County, California, described as follows:

Commencing at County Surveyor's Station 39+66.42 on the Los Gatos-Santa Clara Road as marked by a brass plug in the center of the road, at the northeast corner of the southeast 1/4 of the northeast 1/4 of Section 15; thence South 0° 14' East 370.2 feet along the center line of the Los Gatos-Santa Clara Road and North 89° 45' West 30.00 feet to the TRUE POINT OF BEGINNING of this description; thence North 89° 45' West 363.2 feet; thence North 26° 14' West 251.9 feet; thence North 89° 44' West 417.5 feet; thence South 0° 16' West 281.0 feet; thence South 89° 44' East 60.0 feet; thence North 0° 16' East 30.0 feet; thence South 89° 44' East 267.8 feet; thence South 0° 16' West 200.0 feet to the South line of that certain parcel of land conveyed to the State of California by M. P. Osborne by Deed dated September 12, 1921; thence South 89° 36' East along said South line 385 feet more or less to a point 212.00 feet West of said Centerline of Los Gatos-Santa Clara Road measured along said South line and its easterly prolongation; thence North 0° 14' West parallel with Los Gatos-Santa Clara Road, 130.00 feet; thence South 89° 36' East parallel with said South line 182.00 feet; thence North 0° 14' West 97.0 feet to the point of beginning, containing 5.08 acres more or less.

Together with all and singular the tenements, hereditaments, and  
appurtenances thereunto belonging, or in any wise appertaining, and the reversion  
or reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with  
the appurtenances, unto the said Grantee forever.

In the Office of the Secretary of State  
of the State of California

MAR 13 1964

FRANK M. JORDAN, Secretary of State

By [Signature]  
Assistant Secretary of State

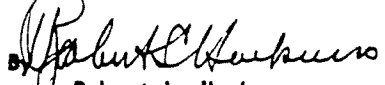
69-3

Pursuant to said Chapter 337 It is hereby stated and declared that the portion of the property in said county known as the Department of Veterans Affairs Office Building, Santa Clara, containing approximately .543 acres which is presently used by the Department of Veterans Affairs is not included in this grant and conveyance nor in said description and shall remain subject to the jurisdiction and control of the Department of Veterans Affairs.

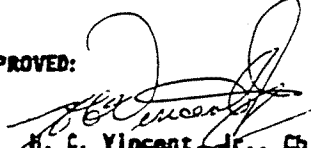
In the event The Regents of the University of California shall by resolution at any time determine that the whole or any part of the property granted and conveyed hereunder is no longer desirable or necessary for use in agricultural research, the fee title to said property described in such resolution shall revert to and vest in the State of California upon the recording of such resolution in the official records of the County of Santa Clara, State of California.

IN WITNESS WHEREOF, the State has caused these presents to be executed the day and year first above written.

HALE CHAMPION  
DIRECTOR OF FINANCE

  
Robert L. Harkness  
Deputy Director

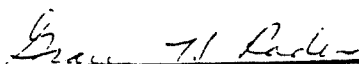
APPROVED:

  
H. C. Vincent, Jr., Chief  
Department of Administration

STATE OF CALIFORNIA )  
County of Sacramento ) ss

On this 18th day of March, 1963, before me, Grace H. Rader, a Notary Public in and for the County of Sacramento, State of California, personally appeared Robert L. Harkness, known to me to be the Deputy Director of Finance of the State of California, and known to me to be the person who executed the within instrument on behalf of said State of California and acknowledged to me that he executed the same as the free act and deed of said State of California.

Witness my hand and official seal.

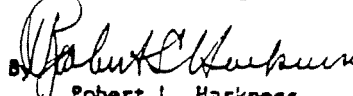
  
GRACE H. RADER, Notary Public,  
State of California - Principal Office, Sacramento County  
My Commission Expires Jan. 18, 1967  
1108 "O" St., Room 317, Sacramento 14, Calif.

Pursuant to said Chapter 337 It is hereby stated and declared that the portion of the property in said county known as the Department of Veterans Affairs Office Building, Santa Clara, containing approximately .543 acres which is presently used by the Department of Veterans Affairs is not included in this grant and conveyance nor in said description and shall remain subject to the jurisdiction and control of the Department of Veterans Affairs.

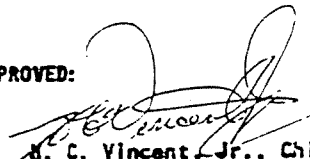
In the event The Regents of the University of California shall by resolution at any time determine that the whole or any part of the property granted and conveyed hereunder is no longer desirable or necessary for use in agricultural research, the fee title to said property described in such resolution shall revert to and vest in the State of California upon the recording of such resolution in the official records of the County of Santa Clara, State of California.

IN WITNESS WHEREOF, the State has caused these presents to be executed the day and year first above written.

HALE CHAMPION  
DIRECTOR OF FINANCE

By   
Robert L. Harkness  
Deputy Director

APPROVED:

  
H. C. Vincent, Jr., Chief  
Property Acquisition Division

  
Thomas H. Clayton  
Senior Counsel

Book 6003 pg 10

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed, dated March 18, 1963, from the Director of Finance, State of California, to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a governmental agency, is hereby accepted by the undersigned officer on behalf of The Regents of the University of California pursuant to authority conferred by resolution of The Regents of the University of California adopted on April 19, 1963, and the grantee hereby consents to recordation thereof by its duly authorized officer.

Dated: April 25, 1963.



Secretary of  
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

RECEIVED  
2  
JUN 10 1963

JUN 10 1963

69-3

Carol  
Shalde

2393103

BOOK 6003 pg 8

REC

THIS INSTRUMENT made and entered into this 18th day of March, 1963,  
by and between the State of California, acting by and through the Director of  
Finance, hereinafter called Grantor, and The Regents of the University of Calif-  
ornia, hereinafter called Grantee,

\*\*\*\*\*

That the Grantor, pursuant to authority contained in Chapter 337,  
Statutes of 1951, has granted and conveyed and by these presents does hereby  
grant and convey unto Grantee for use in agricultural research that certain  
real property situate in the County of Santa Clara, State of California, par-  
ticularly described as follows:

Situate in the southeast 1/4 of the northeast 1/4 of Section 15,  
T7S, R1W, M28N, Santa Clara County, California, described as follows:

Commencing at County Surveyor's Station 33466.42 on the Los Gatos-  
Santa Clara Road as marked by a brass plug in the center of the road, at  
the northeast corner of the southeast 1/4 of the northeast 1/4 of Section 15;  
thence South 0° 15' East 379.2 feet along the center line of the Los  
Gatos-Santa Clara Road and North 89° 45' West 38.68 feet to the TRUE POINT  
OF BEGINNING of this description; thence North 89° 45' West 363.2 feet; thence  
North 26° 14' West 251.9 feet; thence North 89° 45' West 417.5 feet; thence  
South 0° 16' West 201.0 feet; thence South 89° 44' East 60.0 feet; thence  
North 0° 16' East 38.0 feet; thence South 89° 44' East 267.8 feet; thence  
South 0° 16' West 200.8 feet to the South line of that certain parcel of  
land conveyed to the State of California by M. P. Barber by Deed dated  
September 12, 1921; thence South 89° 36' East along said South line 385  
feet more or less to a point 212.00 feet West of said Centerline of Los  
Gatos-Santa Clara Road measured along said South line and its westerly  
prolongation; thence North 0° 14' West parallel with Los Gatos-Santa Clara  
Road, 130.00 feet; thence South 89° 36' East parallel with said South line  
182.00 feet; thence North 0° 14' West 37.0 feet to the point of beginning,  
containing 5.00 acres more or less.

Together with all and singular the tenements, hereditaments, and  
appurtenances thereto belonging, or in any wise appertaining, and the reversion  
or reversions, remainder and remain rs, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with  
the appurtenances, unto the said Grantee forever.

2393103  
BOOK 6003 pg 8

Regents of the University of California  
APR 23 12 06 PM 1963

CLERK OF THE REGENTS  
SANTA CLARA COUNTY

2393103 MAR 23 1963



EXHIBIT

BOOK 6003 15 8

BOOK 6003 15 9

Pursuant to said Chapter 337 it is hereby stated and declared that the portion of the property in said county known as the Department of Veterans Affairs Office Building, Santa Clara, containing approximately .943 acres which is presently used by the Department of Veterans Affairs is not included in this grant and conveyance nor in said description and shall remain subject to the jurisdiction and control of the Department of Veterans Affairs.

In the event The Regents of the University of California shall by resolution at any time determine that the whole or any part of the property granted and conveyed hereunder is no longer desirable or necessary for use in agricultural research, the fee title to said property described in such resolution shall revert to and vest in the State of California upon the recording of such resolution in the official records of the County of Santa Clara, State of California.

IN WITNESS WHEREOF, the State has caused these presents to be executed the day and year first above written.

DALE CHAPMAN  
DIRECTOR OF FINANCE

*Robert L. Marinacci*  
Robert L. Marinacci  
Deputy Director

23931035FR2563

APPROVED

*H. C. Vincent, Jr.*  
H. C. Vincent, Jr., Chief  
Property Acquisition Division

STATE OF CALIFORNIA } ss  
County of Sacramento }

On this 18th day of March, 1963, before me, Grace H. Rader, a Notary Public in and for the County of Sacramento, State of California, personally appeared Robert L. Marinacci, known to me to be the Deputy Director of Finance of the State of California, and known to me to be the person who executed the within instrument on behalf of said State of California and acknowledged to me that he executed the same as the free act and deed of said State of California.

Witness my hand and official seal.



GRACE H. RADER, Notary Public,  
State of California - P.O. Box 1000, Sacramento County  
My Comm. Expires 12-18-1967  
1108 13th St., Sacramento 14, Calif.

BOOK 6003 pg 10

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed, dated March 18, 1963, from the Director of Finance, State of California, to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a governmental agency, is hereby accepted by the undersigned officer on behalf of The Regents of the University of California pursuant to authority conferred by resolution of The Regents of the University of California adopted on April 19, 1963, and the grantee hereby consents to recordation thereof by its duly authorized officer.

Dated: April 23, 1963.

  
Secretary of  
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

235103 APR 25 1963

## Appropriations and Statutes for the Women's Relief Corps Home

---

Basis for  
distribution

SEC. 2. Section 4655.2 of said code is amended to read:  
4655.2. Taxes shall be distributed to each fund for which they were levied on the basis of the tax rate established for the preceding assessment year in the proportion which the rate for each fund bears to the total tax rate applicable.

SEC. 3. Section 4656.4 of said code is amended to read:  
4656.4. Taxes shall be distributed to each fund on the basis of the tax rate established for the fiscal year preceding the year in which distribution is made and in the same proportion as the tax rate for each fund bears to the total tax rate applicable.

Penalties

SEC. 3.5. Section 4656.6 of said code is amended to read:  
4656.6. Amounts collected as delinquent penalties shall be distributed as taxes.

SEC. 4. Section 4657 of said code is amended to read:  
4657. Interest and redemption penalties shall be distributed as taxes.

Repeal

SEC. 5. Section 4657.4 of said code is repealed.

#### CHAPTER 271

*An act to add Section 1086.2 to the Military and Veterans Code, relating to the Woman's Relief Corps Home.*

In effect  
September  
9, 1953

[Approved by Governor April 17, 1953. Filed with Secretary of State April 20, 1953.]

*The people of the State of California do enact as follows:*

SECTION 1. Section 1086.2 is added to the Military and Veterans Code, to read:

Lease of  
Woman's  
Relief  
Corps  
Home

1086.2. The Department of Veterans Affairs is authorized to lease the Woman's Relief Corps Home for the purpose of conducting by private persons a nursing home for the aged.

Any lease of said property shall include the provision that the members of the Woman's Relief Corps Home shall be cared for at a cost to be established by mutual agreement between the private persons conducting the nursing home and the department, subject to approval by the Department of Finance and that such care shall be in accordance with standards of care and service prescribed by the Department of Veterans Affairs.

#### CHAPTER 272

*An act to add Section 870.5 to the Agricultural Code, relating to olives.*

In effect  
September  
9, 1953

[Approved by Governor April 17, 1953. Filed with Secretary of State April 20, 1953.]

*The people of the State of California do enact as follows:*

SECTION 1. Section 870.5 is added to the Agricultural Code, to read:

Insufficient  
funds

53708. If there are insufficient funds to discharge all claims and accounts, the board of supervisors, at the time of levying the next general county taxes, shall make a levy upon the property of the dissolved district sufficient in amount to discharge all outstanding claims and accounts against the district.

#### CHAPTER 4. TRANSFER OF DISTRICTS FROM ONE COUNTY TO ANOTHER

Change of  
county  
boundaries

53800. When a district, by a legislative act changing county boundaries, is transferred wholly from one county to another, the board of supervisors of the county to which the district is transferred, shall exercise all of the jurisdiction, power, and authority over the district theretofore exercised by the board of supervisors of the county wherein the district was originally formed.

Effect of  
transfer

53801. The board of supervisors of the county to which the district is transferred, the officers thereof, and the officers of the district shall thereafter perform all acts required to be performed in connection with the district with the same authority and effect as though the district had been originally organized within that county.

Transfer of  
funds

53802. The auditor and treasurer of the county to which a district is transferred shall draw their warrant upon the treasurer of the county within which the district was previously situated for all of the funds of the district in the treasury of such county, and the funds shall be so transferred into the treasury of the county to which the district is transferred.

Collections

53803. After a district is transferred to another county, all assessments shall be collected and paid into the treasury of the county to which the district is transferred.

Partial  
transfer

53804. When, by any change of county boundaries made by the Legislature of this State, any district is transferred in whole or in part to another county than the one within which it was organized, then as to such part of the district so transferred to another county, the same power and authority shall exist, and the same proceedings shall be had in the conduct and management of the district, and in the levy and collection of assessments, and in all other ways with respect to its conduct and management, as though it had been originally organized in the county where it was organized and partially in the county to which it is transferred.

Transfer  
records

53805. When a district is transferred in whole or in part to another county from that in which it was organized, all proceedings, petitions or orders which should have been recorded in the county to which the district is in whole or in part transferred shall be copied and certified by the officer having custody thereof, transferred to, and recorded in, such county.

#### PART 11. REPEALS

53900. The following sections of the Political Code are repealed:

|        |                      |         |
|--------|----------------------|---------|
| 3446   | 3463                 | 3478    |
| 3447   | 3464                 | 3479    |
| 3448   | 3465                 | 3480    |
| 3449   | 3466                 | 3480a   |
| 3450   | 3466a                | 3480b   |
| 3451   | 3466.6               | 3480d   |
| 3452   | 3466b                | 3480e   |
| 3453   | 3466½ (As amended by | 3480f   |
| 3454   | Chapter 177 of the   | 3480(g) |
| 3454a  | Statutes of 1915)    | 3480(h) |
| 3454b  | 3466½ (As amended by | 3480½   |
| 3454½  | Chapter 374 of the   | 3481    |
| 3455   | Statutes of 1921)    | 3482    |
| 3456   | 3467                 | 3483    |
| 3456a  | 3468                 | 3484    |
| 3456a½ | 3469                 | 3485    |
| 3456c  | 3470                 | 3488    |
| 3457   | 3471                 | 3489    |
| 3457a  | 3472                 | 3489a   |
| 3457b  | 3473                 | 3489b   |
| 3458   | 3474                 | 3490    |
| 3459   | 3475                 | 3491    |
| 3460   | 3476                 | 3492    |
| 3461   | 3476a                | 3493    |
| 3462   | 3477                 | 3493a   |
| 3462a  |                      | 3493b   |

53901. The following acts are repealed:

| Yr.   | Ch.  | Pg. |
|-------|------|-----|
| 1881: | 59:  | 68  |
| 1893: | 147: | 174 |
| 1895: | 174: | 197 |
| 1899: | 16:  | 13  |
| 1909: | 616: | 933 |
| 1913: | 72:  | 75  |
| 1913: | 365: | 777 |
| 1917: | 562: | 781 |

Repeals

#### CHAPTER 337

*An act authorizing the Director of Finance to convey certain property to the University of California.*

[Approved by Governor May 5, 1951. Filed with Secretary of State May 5, 1951.]

In effect  
September  
22, 1951

*The people of the State of California do enact as follows:*

SECTION 1. The Director of Finance is authorized to convey to the Regents of the University of California for use in agricultural research all at one time or in part from time to time

Woman's  
Relief Corps  
Home

now presently known as the Woman's Relief Corps Home of California under the jurisdiction of the Department of Veterans Affairs and situated in the County of Santa Clara, State of California.

SEC. 2. In making any conveyance pursuant to the provisions of this act, the Director of Finance shall provide that any part of said property which has not been conveyed to the Regents of the University of California shall until it may later be so conveyed remain subject to the jurisdiction and control of the Department of Veterans Affairs.

SEC. 3. The Regents of the University of California may by resolution at any time or from time to time determine that the whole or any part of said property is no longer desirable or necessary for use in agricultural research, and upon the recording of such resolution in the official records of the County of Santa Clara, State of California, the fee title to said property described in such resolution shall revert to and vest in the State of California.

SEC. 4. A copy of the deed of conveyance executed and delivered by the Director of Finance pursuant to this act shall be delivered to the State Lands Commission.

## CHAPTER 338

*An act to amend Sections 9604, 9605, 9675, 9677, and 9715, and to add Sections 9608.5, 9684, 9685, 9686, 9700.5, 9700.6, 9702.1, 9702.2, and 9702.3 to the Business and Professions Code of the State of California, relating to cemetery brokers.*

[Approved by Governor May 5, 1951. Filed with Secretary of State May 5, 1951.]

*The people of the State of California do enact as follows:*

SECTION 1. Section 9604 of the Business and Professions Code is amended to read:

9604. A cemetery broker is a person who, other than in reference to an occasional sale, sells or offers for sale, buys, or offers to buy, lists, leases or offers to lease, or solicits, or negotiates the purchase or sale, lease or exchange of cemetery property, or interest therein, for his own account or for another.

SEC. 2. Section 9605 of the Business and Professions Code is amended to read:

9605. A cemetery salesman is a natural person who, other than in reference to an occasional sale, is employed by a cemetery broker to sell, or offer for sale, list or offer to list, or to buy, or to offer to buy, or to lease, or offer to lease, or to solicit, or to negotiate the purchase or sale or lease or exchange of cemetery property, or any interest therein, for his own account or for another.

SEC. 3. Section 9608.5 is added to the Business and Professions Code, to read:

9608.5. An "occasional sale" is a sale of cemetery property not acquired or held for purposes of resale or speculation, provided such sale is not one of a series of sales sufficient in number, scope and character to constitute engaging in the business of selling or reselling or holding for speculation cemetery property.

SEC. 4. Section 9675 of the Business and Professions Code is amended to read:

9675. This article does not apply to the following cases or **Exemption** to the following persons:

(a) A person acting with reference to an occasional sale of his own property.

(b) The regular officers of a cemetery corporation holding a certificate of authority acting with reference to the corporation's property when they receive no special compensation therefor.

(c) Persons making an occasional sale under a duly executed power of attorney from others.

(d) The services rendered by an attorney at law in performing his duties as such.

(e) A receiver, trustee in bankruptcy, any person acting under orders of any court, or a trustee selling under a deed of trust.

(f) A real estate broker or real estate salesman, acting as such in connection with the sale, lease or exchange of real property, or interest therein, when the transfer of cemetery property is purely incidental to the sale, lease or exchange of real property.

SEC. 5. Section 9677 of the Business and Professions Code is amended to read:

9677. Any act other than an occasional sale of buying or selling, leasing or exchanging cemetery property of or for another or on his own account, or offering for another or for his own account to buy or sell, lease or exchange cemetery property, or negotiating the purchase or sale, lease or exchange of cemetery property, or soliciting, or negotiating a loan on or exchange of cemetery property constitutes the person making such offer, sale or purchase, exchange or lease, or negotiating the loan, or listing or soliciting, a cemetery broker or cemetery salesman.

SEC. 6. Section 9684 is hereby added to the Business and Professions Code, to read:

9684. Each cemetery broker, other than a cemetery corporation holding a certificate of authority, and each cemetery salesman must include in any advertising a statement that he is acting as a cemetery broker or cemetery salesman.

SEC. 7. Section 9685 is hereby added to the Business and Professions Code, to read:

Limitation

Reversion  
to State

State Lands  
Commission

In effect  
September  
22, 1951

Cemetery  
broker

Cemetery  
salesman

Acts of  
broker or  
salesman

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   § 1512; 1905 : 708; § 1513 amended 1905 : 708; § 1514a, added 1905 : 708  
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   1893 : 360. 1897 : 467; repealed 1913 : 514. Pol. C. § 4065, added 1907 : 376  
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   APPROPRIATION to pay deficiency in appropriation for support of widows,  
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   1903 : 482, § 7; amended 1911 : 1334; 1915 : 847  
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   1897 : 449. Pol. C. § 2210e, added 1907 : 703; deleted 1919 : 1191  
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| 886; 1909 : 34. 1895 : 57; 1897 : 95; 1903 : 78; 1905 : 36; 1907 : 886     |                                                                        |
| PASS to the right on meeting                                               | Pol. C. § 2360                                                         |
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| owners liable for                                                          | 1857 : 150, §§ 5, 6. Pol. C. § 2378                                    |
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| SMALL BOATS, number to be carried                                          | Pol. C. § 2371                                                         |
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| SPARK CATCHERS, construction of                                            | 1857 : 149, § 2. Pol. C. § 2375                                        |
| fee of inspector                                                           | 1857 : 149, § 4. Pol. C. § 2376                                        |
| penalty for not using                                                      | Pol. C. § 2377                                                         |
| to be used on steamboats                                                   | 1857 : 149. Pol. C. § 2374                                             |
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| <i>Sailors; Veterans' Home</i> .                                           |                                                                        |
| BADGE, protection of                                                       | 1887 : 82; amended 1907 : 81                                           |
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| veterans of all wars given preference                                      | 1913 : 1035, by amendment 1919 : 1337                                  |
| CIVIL WAR, congress memorialized to pass Sulloway bill for relief of,      |                                                                        |
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| FEES, not charged by public officers in making out certain papers,         |                                                                        |
| Pol. C. § 4295, as amended 1919 : 269. Pol. C. § 4302, added 1907 : 554    |                                                                        |
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| G. A. R. headquarters at Capitol                                           | 1911 : 488                                                             |
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| GRAVES, care of                                                            | 1917 : 422                                                             |
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| LAND SETTLEMENT, bonds issued for                                          | 1919 : 1182                                                            |
| federal project                                                            | 1919 : 1446. 1919 : 1453                                               |
| state land settlement act                                                  | 1917 : 1566; amended 1919 : 838                                        |
| LEASES, by counties and cities to veterans' associations                   | 1897 : 113                                                             |
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| LICENSE TAX EXEMPTIONS                                                     | Pol. C. § 3366, added 1901 : 635; amended                              |
| 1915 : 723; 1917 : 279. Pol. C. § 4041, added 1907 : 366; amended          |                                                                        |
| 1909 : 126, 756; 1911 : 1450; 1913 : 667; 1919 : 796. 1905 : 307.          |                                                                        |
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| 339; 1901 : 823; 1903 : 187, 190, 420; 1907 : 235, 243, 236, 237. 1909 :   |                                                                        |
| 385, 830, 831, 844. 1911 : 422, 495, 1046, 1048, 1054. 1913 : 863, 864,    |                                                                        |
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 claim when compromise not approved: limitation on time of filing  
     § 27, am 1923:771; 1931:1950  
 claims: answers, procedure, attachments..... § 18, am 1923:438  
 claims: assignment, liens, etc..... § 24, am 1923:772; 1925:644; 1929:323  
 compensation: burden on defendant to show coverage  
     § 29, am 1925:495; 1929:553; 1931:1953  
 compensation schedule..... § 9, am 1925:640; 1929:420  
 compromises..... § 27, am 1923:771; 1931:1950  
 death benefits..... § 9, am 1925:643; 1929:425  
 "employee" defined..... § 8, am 1931:2068  
 employer defined..... § 7, am 1929:306  
 insurance policies..... §§ 30, 31, am 1929:1167  
 insurance to secure payments..... § 29, am 1925:494; 1929:551; 1931:1951  
 liability for compensation..... § 6, am 1923:375; 1929:430  
 liability of principal and contracting employers..... § 25, r 1927:1475  
 longshoremen's and harbor workers' compensation act: state insurance and  
     cooperation..... §§ 36½, 55½, ad 1927:1020; § 36½, am 1929:325  
 mutual companies, insurance in..... § 30, am 1929:1167  
 newspaper, etc., vendors excluded if title passed..... § 8, am 1931:2068  
 notice of injury, effect of failure to give..... § 15, am 1931:2372  
 payments to state..... § 51, am 1927:1475  
 subsequent injuries fund..... § 9, as am 1929:423  
 terms defined..... § 33, am 1923:165; 1929:494  
 unsafe employment: injunctions..... § 46½, am 1925:710  
 agricultural laborers..... 1927:1681; am 1931:1962  
 convicts employed on highways not covered..... 1923:667, § 9, ad 1927:1111  
 counties, cities, etc., insurance by..... 1913:279, § 46, am 1931:200

*of California, approved and adopted by the people at the general election held November 7, 1922.*

[Approved by the Governor April 14, 1927, with reductions and eliminations attached hereto. In effect immediately.]

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

April 14, 1927.

To the Assembly of the State of California:

Assembly Bill No. 500 is approved by me except for two items specifically set forth which are reduced or eliminated in accordance with the powers conferred on me by the provisions of sections 16 and 34 of article IV of the Constitution, and which are objected to for the following respective reasons:

1. I object to the item on page 5 under the heading "Administrative" reading as follows: "For support of secretary of state two hundred thirty-seven thousand six hundred fifty dollars (\$237,650)" and reduce the amount to two hundred twenty-two thousand six hundred fifty dollars (\$222,650) for the reason that the measure recently passed by the Legislature repealing the corporation license tax act makes possible this reduction in the expenses of the office of the secretary of state, according to the opinion of that office. Items disapproved.

2. I object to the item on page 10 reading: "For support of California highway commission and state highway engineer, forty-one thousand six hundred dollars (\$41,600), payable from highway maintenance fund" for the reason that in my opinion ample provision for such expenditures is included in the language of the item of appropriation on page 10 reading: "For general administration of California highway commission, and maintenance and reconstruction of highways, twenty-seven million one hundred thousand dollars (\$27,100,000), payable from highway maintenance fund."

It was the intention at the time of my recent message to you suggesting amendments to the budget that this item be eliminated and a corresponding reduction in the budget was reported to you in that message.

It is evident that savings will be made as the result of consolidations to be effected under the bills for reorganization of various state departments.

I am convinced, however, that these savings will be accomplished within the budget itself and reflected in unexpended balances to be restored to the general fund at the close of the biennium. I therefore feel that I should not at this time make further changes in the appropriations passed by the Legislature, in anticipation of legislation not yet finally enacted.

Respectfully submitted.

C. C. YOUNG,  
Governor.

*The people of the State of California do enact as follows:*

SECTION 1. The following sums of money are hereby appropriated for the use and support of the State of California for the seventy-ninth and eightieth fiscal years and unless otherwise herein provided shall be paid out of the general fund in the state treasury. Budget appropriations.

Whenever by constitutional or statutory provision the revenues or receipts of any institution, department, board, bureau, commission, officer, employee, or other agency, or any moneys in any special fund created by law therefor, are to be used for salaries, support or any proper purpose, expenditures shall be made therefrom for all such purposes, and not from the general fund, to the extent only of the amount herein appropriated unless otherwise herein stated; *provided, however*, that if no amount is herein appropriated for such purposes or any part thereof, any appropriation therefor heretofore made by any existing constitutional or statutory provision shall continue to be governed thereby. Use of special funds.

Appropriations for purposes not otherwise provided for herein which have been heretofore made by any existing constitutional or statutory provision shall continue to be governed thereby. Recurrent appropriations.

inspectors at a monthly salary of one hundred thirty-five dollars each during the time actually employed, two inspectors at a monthly salary of one hundred twenty dollars each during the time actually employed, two inspectors at a compensation of four dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed ten thousand three hundred forty dollars.

#### CHAPTER 141.

*An act to amend section two thousand three hundred twenty-two x thirty-seven of the Political Code, relating to the salary and expenses of the horticultural commissioner, his deputies and employees in counties of the thirty-seventh class.*

[Approved by the Governor April 13, 1927. In effect July 29, 1927.]

*The people of the State of California do enact as follows:*

Stats. 1925,  
p. 211,  
amended.

Counties of  
37th class:  
horticultural  
commissioner

SECTION 1. Section 2322x37 of the Political Code is hereby amended to read as follows:

2322x37. In counties of the thirty-seventh class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerk, to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Four inspectors at a compensation of four dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed five thousand six hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of ninety dollars, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand eighty dollars.

(c) An additional inspector at a salary of one hundred thirty dollars per month.

#### CHAPTER 142.

*An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section thirty-four of article four of the constitution of the State*

Secretary of  
state.

For support of secretary of state, two hundred thirty-seven thousand six hundred fifty dollars (\$237,650).

For vault equipment, secretary of state's office, ten thousand nine hundred fifty-six dollars (\$10,956).

#### BENEVOLENT.

Industrial  
Home for  
Adult Blind.

For support of Industrial Home for Adult Blind, one hundred twenty-six thousand six hundred dollars (\$126,600).

For permanent improvements, Industrial Home for the Adult Blind, consisting of: repairs, improvements and equipment, one thousand dollars (\$1,000); additions to industrial shop building, fifteen thousand dollars, (\$15,000).

Public wel-  
fare, dept. of.

For support of the department of public welfare, seventy-two thousand dollars (\$72,000).

Veterans'  
Home.

For support of Veterans' Home of California, four hundred fifty-six thousand eight hundred twenty dollars (\$456,820).

For permanent improvements, Veterans' Home of California, consisting of: repairs, improvements and equipment, forty-five thousand dollars (\$45,000); construction of store-room building and employees' building, thirty-five thousand dollars (\$35,000).

For construction of barracks, Veterans' Home of California, one hundred seventy thousand dollars (\$170,000), payable from athletic commission fund.

Woman's  
Relief Corps  
Home.

For support of Woman's Relief Corps Home, thirty-nine thousand five hundred fifty dollars (\$39,550).

For permanent improvements, Woman's Relief Corps Home, consisting of repairs and improvements to buildings and drilling and equipping of well, seven thousand dollars (\$7,000).

#### CONSERVATION AND PARKS.

Balboa park.

For support of California building at Balboa park, eleven thousand dollars (\$11,000).

Fish and  
game  
commission.

For support of fish and game commission, one million six hundred twenty-six thousand dollars (\$1,626,000), payable from fish and game preservation fund.

Forestry,  
state  
board of.

For support of state board of forestry, one hundred fifty-seven thousand three hundred thirty dollars (\$157,330).

For additional support of state board of forestry, payable from state board of forestry fire prevention fund, eighty-four thousand dollars (\$84,000).

For state board of forestry for cooperation in forest and watershed protection, viz: Los Angeles county, fifty thousand dollars (\$50,000); San Bernardino county, ten thousand dollars (\$10,000); other counties and agencies, forty thousand dollars (\$40,000); Tamalpais fire district, ten thousand dollars (\$10,000); San Jacinto mountains, five thousand dollars (\$5,000); California experimental station and other federal agencies, twenty thousand dollars (\$20,000).

For support of state board of forestry for administration of state parks, thirty-four thousand one hundred dollars (\$34,100).



of the United States of America in congress assembled, entitled "An act to provide for the promotion of vocational education; to provide for cooperation with the states in the promotion of such education in agriculture and home economics; to provide for cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," and approved by the President February 5, 1929. In accepting the benefits of said act the people of the State of California agree to comply with all of its provisions and to observe all of its requirements.

SEC. 2. Subject to an act entitled, "An act to accept the provisions and benefits of an act passed by the senate and house of representatives of the United States of America in congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor," there is in addition to any moneys appropriated under the act referred to in this section hereby appropriated out of any money in the treasury not otherwise appropriated the sum of four thousand five hundred fifty-eight dollars and sixty-seven cents for agriculture, and the sum of five thousand three hundred three dollars and eighty cents for home economics, for the fiscal year ending June 30, 1930; and the sum of nine thousand one hundred seventeen dollars and thirty-four cents for agriculture, and the sum of ten thousand six hundred seven dollars and sixty cents for home economics, for the fiscal year ending June 30, 1931.

Appropriations:  
agriculture  
and home  
economics.

## CHAPTER 463.

*An act making an appropriation for the construction of a cottage at the Woman's Relief Corps Home.*

[Approved by the Governor May 24, 1929. In effect August 14, 1929.]

*The people of the State of California do enact as follows:*

SECTION 1. Out of any moneys in the state treasury not otherwise appropriated the sum of one thousand three hundred twenty-eight dollars and seventy-two cents (\$1,328.72) is hereby appropriated for the construction of a cottage during the seventy-ninth and eightieth fiscal years at the Woman's Relief Corps Home, in augmentation of the unencumbered balance of moneys heretofore appropriated for permanent improvements at said Woman's Relief Corps Home in and by the provisions of chapter one hundred forty-two of the statutes of 1927, all of which moneys are hereby appropriated, reappropriated and made available for the construction of said cottage.

Appropriation:  
Woman's  
Relief Corps  
Home.

## CHAPTER 186.

*An act to amend section three hundred sixty b of the Political Code, relating to department of finance.*

[Approved May 22, 1923.]

*The people of the State of California do enact as follows:*

SECTION 1. Section three hundred sixty b of the Political Code is hereby amended to read as follows:

Chiefs of  
divisions.

360b. The divisions of claims and disbursements, of budgets and accounts, and of purchases and custody, shall each be in charge of a chief to be known respectively as chief of the division of claims and disbursements, chief of the division of budgets and accounts, and chief of the division of purchases and custody.

The chief of the division of printing shall receive an annual salary of five thousand dollars, and before entering upon the duties of his office he shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars; the chief of the division of motor vehicles shall receive an annual salary of four thousand eight hundred dollars, and before entering upon the duties of his office he shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars; the chief of the division of libraries, who shall be known as "state librarian," shall be a technically trained librarian and shall receive an annual salary of five thousand dollars, and before entering upon the duties of his office he shall execute an official bond to the State of California in the penal sum of three thousand dollars.

## CHAPTER 187.

*An act to authorize the state board of control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, county of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara county.*

[Approved May 23, 1923.]

*The people of the State of California do enact as follows:*

Transfer  
of certain  
state lands  
authorized.

SECTION 1. The state board of control is hereby authorized on behalf of the State of California, to convey and exchange the following described real property, situate in the county of Santa Clara, State of California, to wit: Lots thirty-seven (37) and thirty-eight (38) in Cadwalladers survey of the village of Evergreen, as surveyed by Herman Brothers, March, 1887, and recorded in book "B" of maps, page 56 et seq. Santa Clara county records, on March 24, 1887, which said tract contains five and thirty one-hundredths (5.30) acres, more or less,



which said property was formerly owned and used by the Woman's Relief Corps Home of California.

SEC. 2. The state board of control is hereby authorized to accept and receive in exchange for the lands described in section one of this act, the following described real property, situated in the county of Santa Clara, State of California, to wit: Beginning at a point two hundred fifty-two and six-tenths (252.6) feet south of the center of the northeast quarter of section fifteen, township seven south, range one west; thence southerly three hundred forty-one and four-tenths (341.4) feet; thence east three hundred eighty-two and eight-tenths (382.8) feet; thence north three hundred forty-one and four-tenths (341.4) feet; thence west three hundred eighty-two and eight-tenths (382.8) feet to the point of beginning, and containing three acres more or less.

Acceptance  
of certain  
lands by  
state  
authorized.

#### CHAPTER 188.

*An act to create the office of state fire marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith.*

[Approved May 23, 1923.]

*The people of the State of California do enact as follows:*

SECTION 1. Within thirty days after this act takes effect, the governor shall appoint a qualified person who shall be known as the "state fire marshal," which office is hereby created. The person so appointed shall hold office at the pleasure of the governor and shall receive no compensation therefor.

State fire  
marshal to  
be appointed.

SEC. 2. It shall be the duty of the fire marshal to safeguard life and property from fire and to see that all laws and ordinances relating to fires and fire protection are enforced, to attend, if possible, fires other than forest, brush or grain fires which may occur outside of the limits of any incorporated city within the state, and to take charge of and protect all property which may be imperiled thereby.

Duties of  
state fire  
marshal.

SEC. 3. The fire marshal may during the time of any fire protect property being affected thereby until the arrival of the owner or claimant of thereof, and in case the owner or claimant of such property does not take charge of same within twenty-four hours, the fire marshal may have such property stored at the owner's or claimant's expense.

Protection  
of property.

SEC. 4. In all cases where there is reason to believe that fires are the result of crime or that crime has been committed in connection therewith the fire marshal must report the same, in writing, to the district attorney of the county in which the fire occurred.

Report of  
incendiary  
fires to  
district  
attorneys.

SEC. 5. The fire marshal shall have power to appoint as his deputies only the chiefs of fire departments, who shall

Deputies.

## CHAPTER CCLXXIII.

*An Act to provide for the deficiency in the appropriation for support and maintenance of the widows and orphans of Union soldiers, sailors, and marines, and for ex-Union army nurses residing at Evergreen, in the County of Santa Clara, at the home in said county, and under the auspices of the Woman's Relief Corps Home Association, for the forty-eighth fiscal year.*

[Approved April 1, 1897.]

*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of three thousand dollars is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to pay the deficiency for the maintenance and support of the widows and orphans of Union soldiers, sailors, and marines, and for ex-Union army nurses residing at the home in Santa Clara County, at Evergreen, under the auspices of the Woman's Relief Corps Home Association, for the forty-eighth fiscal year.

Deficiency appropriation for Evergreen Home.

SEC. 2. This Act shall take effect immediately.

## CHAPTER CCLXXIV.

*An Act to assist the Woman's Relief Corps Home Association to provide for ex-army nurses, and the worthy destitute widows, wives, mothers, and destitute maiden daughters or sisters of veterans who served honorably in the war for the Union, and making an appropriation therefor.*

[Approved April 1, 1897.]

*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

SECTION 1. That there be and is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of ten thousand dollars (\$10,000) for the support and maintenance of the ex-army nurses and the widows, wives, mothers, and dependent destitute maiden daughters or sisters of Union veterans who served honorably in the civil war, residing in the home at Evergreen, Santa Clara County, under the auspices of the Woman's Relief Corps Home Association, a corporation duly created and existing under the laws of the State, in the manner following, to wit: The sum of one hundred and fifty dollars (\$150) per annum for each ex-army nurse, widow, wife, mother, or maiden daughter or sister, duly admitted and residing in such home; provided, the whole of said

Appropriation for support of home at Evergreen, Santa Clara County.

sum shall not be expended in any one year for such support and maintenance.

Aid com-  
mences.

SEC. 2. The aid granted in section one of this Act shall commence on the first day of the month after each such ex-army nurse, widow, wife, mother, or maiden daughter or sister shall commence to reside in and be supported in such home, and shall be paid by the State in semi-annual installments.

Manage-  
ment of  
home.

SEC. 3. The Woman's Relief Corps Home at Evergreen, Santa Clara County, shall be managed and controlled by a board of eleven directors, to be appointed by the Governor, six of whom shall be appointed for two years and five of whom shall be appointed for one year; *provided*, that the terms of the six first appointed for two years shall continue until July first, eighteen hundred and ninety-nine, and the five appointed for one year shall continue until July first, eighteen hundred and ninety-eight, and thereafter the terms of office shall be for two years of all directors. Immediately after they qualify, the members of the first board shall meet and organize by electing one of its members president, one as vice-president, one as secretary, and one as treasurer, who shall hold office for one year. No officer or member of the board of directors shall receive any compensation for services as such.

Organiza-  
tion.

Vacancies,  
etc.

SEC. 4. As the terms of office of directors shall expire, or in case of vacancy, the Governor shall appoint their successors. The Governor shall have power to remove any director for cause.

Oath of  
office.

SEC. 5. Each member of the board of directors shall take and file with the Secretary of State the oath of office as provided by law.

Title of  
board of  
directors.

SEC. 6. First—The board of directors shall be known by the name and style of "The Board of Directors of the Woman's Relief Corps Home Association of California," and by this name may sue and be sued in any of the courts of this State, and all property held by such board shall be in trust for the Woman's Relief Corps Home Association of California, and for the use and benefit of said home. The said board shall have power to manage said home and administer its affairs, make laws for the government of the board not in conflict with the general laws of the State, and adopt rules and regulations for the management of the home. The board shall hold at least one meeting each month for the auditing of bills and the transaction of business pertaining to the home. A majority of the members shall constitute a quorum for the transaction of business.

General  
register;  
contains,  
what.

Second—The board shall cause to be kept a book or "general register," in which shall be entered the date of admission, name, age, and place of birth of each inmate, and also the military or naval history, if it can be obtained, of the husband, father, or brother of such widow, wife, mother, maiden daughter or sister, or of the ex-army nurse who is or may hereafter be admitted to such home, and the estate or income, if any, to which she may be entitled.

Third—The board shall cause to be kept a full record of its meetings, also a book entitled "monthly accounts," in which shall be entered all moneys received from any and all sources, segregated under proper heads; also, all disbursements made, specifying for what purpose made, the amounts so disbursed entered in detail, segregated under proper heads, and each entry to be made under proper dates.

Fourth—A payroll shall be kept of the employes, and the amount disbursed to each, at what rate of wages and for the length and kind of services.

Fifth—A transcript of such books and payroll, verified by the oath of the president or secretary of said home, shall be made and forwarded to the State Board of Examiners at the time of making demand or presenting claims for state aid covering the time for which such claim or demand for state aid is made.

SEC. 7. Every claim for aid under this Act shall be presented to and audited and allowed by the State Board of Examiners, and when allowed, in whole or in part, by said Board of Examiners, it shall be the duty of the Controller to draw his warrant for the amount thereof in favor of the president and treasurer of the board of directors of said Home Association, and it shall be the duty of the State Treasurer to pay the same on due presentation.

SEC. 8. No inmate for whose support there is paid, independent of state aid, the sum of twelve dollars and fifty cents or more per month, shall be entitled to any aid under this Act. But if such sum be less than twelve dollars and fifty cents per month, aid shall be granted for such sum only as is necessary to make the full amount for support, including the state aid, twelve dollars and fifty cents per month.

SEC. 9. The board shall cause to be made a verified report on the fifteenth day of August of each year to the Governor, containing a statement of all receipts and expenses, the condition of the home, the number of inmates during the year ending with June thirtieth, and such other matters as may be required by him. All reports shall be verified by the oath of the president and secretary of the board.

SEC. 10. All moneys received by the directors or any officer of the home (except such as may be paid to them by the State for disbursement), including pension moneys belonging to the pensioners in the home, shall be paid over to the treasurer of the board, such moneys to be used for the support and maintenance of the home.

SEC. 11. No person shall be entitled to receive any aid under this Act unless she has been admitted to and kept in said home by reason of her services as army nurse, or by reason of the military or naval service of her husband, father, brother, or son; nor unless she has been continuously a resident of this State for one year next prior to her admission to said home.

SEC. 12. This Act shall take effect immediately.

and under six thousand, shall belong to and be known as counties of the thirty-ninth class.

Fortieth. Counties having a population of five thousand three hundred and under five thousand six hundred, shall belong to and be known as counties of the fortieth class.

Forty-first. Counties having a population of five thousand and under five thousand three hundred, shall belong to and be known as counties of the forty-first class.

Forty-second. Counties having a population of four thousand five hundred and under five thousand, shall belong to and be known as counties of the forty-second class.

Forty-third. Counties having a population of four thousand three hundred and fifty and under four thousand five hundred, shall belong to and be known as counties of the forty-third class.

Forty-fourth. Counties having a population of four thousand and under four thousand three hundred and fifty, shall belong to and be known as counties of the forty-fourth class.

Forty-fifth. Counties having a population of three thousand and under four thousand, shall belong to and be known as counties of the forty-fifth class.

Forty-sixth. Counties having a population of two thousand six hundred and under three thousand, shall belong to and be known as counties of the forty-sixth class.

Forty-seventh. Counties having a population of two thousand and under two thousand six hundred, shall belong to and be known as counties of the forty-seventh class.

Forty-eighth. Counties having a population under two thousand, shall belong to and be known as counties of the forty-eighth class.

## CHAPTER CLVI.

*An Act to establish the "California Home for the Care and Training of Feeble-minded Children," and provide for the maintenance of the same.*

[Approved March 18, 1885.]

*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

SECTION 1. An institution is hereby created to be known as the "California Home for the Care and Training of Feeble-minded Children."

Board of  
Trustees  
to be  
appointed by  
Governor.

SEC. 2. Said institution shall be under the control of a Board of five Trustees, to be appointed by the Governor, by and with the advice and consent of the Senate, whose terms of office, and the terms of their successors, shall be four years; and until their successors, severally, are appointed and qualified; and these Trustees and their successors, and any and all the officers and employes, may be women; *provided*, that the first Board shall be appointed by the Governor within ten days after the passage of this Act; and of such appointments three shall be by him designated for two years, and the other two shall be for four years, and at the end of their

respective terms their successors shall be appointed in the same manner for four years. Vacancies occurring in any other way than by expiration of term shall be filled in the same manner for the unexpired term of the Trustee whose place is vacant; and if when the vacancy occurs the Senate is not in session, the Governor shall fill the same by appointment; and if the term of the appointee has not expired when the Senate next convenes, the appointment shall be submitted to the Senate for confirmation.

SEC. 3. The Trustees provided for in section two shall qualify by taking the usual oath of office, and shall, within ten days after their appointment, organize themselves into a Board by the election of one of their number as President (whose official term as President shall be for one year), and shall also appoint a Secretary, who shall receive an annual salary to be fixed by the Board of Trustees, not exceeding the sum of six hundred dollars, and whose residence shall be at the Home. The Secretary shall act under the Superintendent, and, as an assistant, shall keep the books of the institution, and shall make a faithful entry of all its transactions, and also keep a complete record of the proceedings and orders of the Board, and discharge such other duties as may be assigned to the position by the Superintendent or Trustees, and shall be subject to removal at the pleasure of the Board.

SEC. 4. The Board shall establish such rules and regulations as may be deemed expedient for the management and government of the Home, and for securing economy and accountability in all its affairs, and its officers and employes shall strictly observe such rules and regulations, which may be changed at any time, at the pleasure of the Board.

SEC. 5. The Board shall appoint a Superintendent, and fix the salary of the office, not exceeding nine hundred dollars, before entering upon the discharge of any duty. The appointee shall give a bond to the State of California in the sum of twenty thousand dollars, with sureties to the satisfaction of the Board of Trustees, for the faithful performance of all duties. The Superintendent shall be the chief executive officer of the Home; shall have the general superintendence of the buildings, workshops, grounds, and farm, together with their furniture, implements, fixtures, and stock, and the direction and control of all persons employed in and about the same, subject to the laws and regulations established by the Trustees. The Board shall appoint a Matron, and fix her salary, not exceeding a sum of nine hundred dollars per annum, and it may remove either the Superintendent or Matron for cause. The Superintendent shall employ and discharge, subject to the approval and supervision of the Board of Trustees, such teachers, attendants, assistants, artisans, and laborers, as he may think proper and necessary for the economical and efficient carrying into effect of the design of the institution; prescribe their several duties and places, and the Board of Trustees shall fix their compensation. The Superintendent shall also, from time to time, give such orders and instructions as may appear best calculated to induce good conduct, fidelity, and economy in any department of labor and ex-



pense, and is authorized and enjoined to maintain salutary discipline among all who are employed by the institution, and to enforce strict compliance with such instructions, and uniform obedience to all the rules and regulations of the Home; and shall, further, cause full and fair accounts and records of all his doings, and of the entire business and operations of the institution, together with the condition and prospects of the pupils, to be kept regularly from day to day, in books provided for that purpose, and shall see that all such accounts and records are fully made up to the date of each fiscal half year, and that the principal facts and results, with an official report thereon, to be laid before the Board at its semi-annual meetings, except it may be otherwise specially ordered. The exercise of all the powers of the Superintendent shall be subject to the approval of the Trustees. The Superintendent shall conduct the official correspondence, and keep a record of the applications received, and the pupils admitted, and shall be accountable for the careful keeping and economical use of all furniture, stores, and other articles provided for the Home, and prepare and present to the Board, at its semi-annual meetings, a true and complete inventory of all personal property belonging to the Home.

Trustees to hold property in trust.

SEC. 6. The Board of Trustees may take and hold in trust for the State any grant or devise of land, or any donation or bequest of money, or other personal property, heretofore or hereafter granted or devised, donated, or bequeathed to the use of said Home, and shall dispose of the same in accordance with the wishes of the testator or deviser, if expressed; or if no conditions are attached to the bequest or donation, then to invest and use the proceeds of such investment for the best interests of the Home.

To purchase property.

SEC. 7. The Trustees are hereby empowered and instructed to purchase on behalf of the State, for the use of the Home, such property as they may deem most advantageous for the use of the institution. The property, when furnished and ready for occupancy, must not exceed in cost the sum of twenty-five thousand dollars. The Trustees shall purchase such property wherever in this State they may, by majority vote, determine; *provided*, that no such property shall be selected without the approval and recommendation of the Resident Physician of the Napa Insane Asylum at Napa, or the Medical Superintendent of the Insane Asylum at Stockton.

Who may be admitted.

SEC. 8. All imbecile and feeble-minded children, between the ages of five and eighteen years, who have been residents of the State for one year, and who are incapable of receiving instructions in the common schools, shall be received into the Home, and maintained and educated at the expense of the State; but the expenses of maintaining, supporting, clothing, and of traveling, shall be paid by the parents or parties sending them, if such parents or parties are able to pay them, otherwise these expenses shall be borne by the State.

To prescribe forms for admission.

SEC. 9. The Board shall prescribe and publish instructions and forms for the admission of pupils, and may include in them such interrogatories as they shall think necessary or

usef  
be f  
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useful to have answered, which instructions and forms shall be furnished to any person applying for them, and shall also be sent in sufficient numbers to the County Clerks in the several counties of the State.

SEC. 10. If the capacity of the Home allows the reception of any additional pupils, the Trustees may admit younger or older persons of same class upon the same terms before specified, and also non-residents of the State; but for all of this last class, the Trustees shall charge and receive for the Home a fair rate of compensation to be fixed by the Trustees; and residence in the Home, on the part of a person admitted as a non-resident of the State, shall not be held to change that status.

Compensation for pupils.

SEC. 11. The object aimed at in the institution shall be such care, training, and educating of those received as to render them more comfortable, happy, and better fitted to care for and support themselves. To this end the Trustees shall furnish them such agricultural and mechanical education as they may be capable of receiving, and as the facilities offered by the State will allow, including farm work, shops, and the employment of trade teachers, who may at any time be discharged for cause.

Objects of institution.

SEC. 12. The Trustees are hereby authorized and required to contract for provisions, clothing, medicines, fuel, and all other supplies necessary for the support of the Home, for any period not exceeding one year, and such contracts shall be limited to bona fide dealers in the articles contracted for. Such contracts shall be given to the lowest bidder, at a public letting thereof, if the price bid is a fair and reasonable one, and not greater than the usual market rates. Each bid shall be accompanied by such security as the Board may require, conditioned upon the bidder entering into contract upon the terms of his bid, on notice of the acceptance thereof, and presenting a penal bond, with securities satisfactory to the Board, in such sum as the Board may direct, that he will faithfully perform his contract. Notice of the time, place, and conditions of the letting of each contract shall be given thence weekly for two successive weeks, in one daily paper published in the City of San Francisco, and once weekly, for two successive weeks, in a paper published in the county, and nearest the place where the Home shall be located.

Trustees to contract for supplies.

Notice to be published.

SEC. 13. The Trustees, on the fifteenth day of November annually, shall make a report to the Governor of the condition and progress of the Home, together with an exhibit in detail of all receipts and expenditures.

Reports.

SEC. 14. The Superintendent shall, annually, after the close of the fiscal year, and before the date at which the Trustees are required to make their annual report, make to the Trustees a report giving the names, age, sex, nativity, residence, and date of reception of each pupil in the institution within the preceding year, and the average number in attendance during the year, and as far as can be ascertained, the causes of imbecility; also the number discharged, with the date and reason therefor in each case, together with the names of all paying pupils, and the amounts charged for



them, and the amounts paid or unpaid; and also such other information and suggestions as to him may seem proper, which report shall be sent through the Board to the Governor, with the report of the Trustees, and shall be printed for the use of the Legislature.

Visitations  
monthly.

SEC. 15. There shall be visitations and thorough examinations of all departments of the institution, monthly, by one or more of said Trustees, and quarterly by a majority of them; and at each visitation there shall be drawn and placed on record a detailed statement of the condition of the Home, to be signed by the Trustees making the statement, and to be at all times open to the inspection of legislative committees charged with the duties of examining public institutions. The Trustees, during their monthly visitation, shall examine the books and accounts, and no account or claim shall be paid until it has been examined and certified as correct by at least two of the Trustees.

Vouchers.

SEC. 16. No bill shall be paid except upon accounts, certificates, or vouchers, duly certified by the Superintendent, approved by the Board of Trustees.

Trustees—  
no pay.

SEC. 17. The Trustees shall receive no compensation for their services, but shall be entitled to receive their necessary expenses while attending to the business of the Home.

Treasurer.

SEC. 18. The Board of Trustees shall elect a Treasurer, who shall not be one of their number, and shall fix his compensation. He shall be required to give a bond in such sum as the Trustees may determine, with good and sufficient sureties, to their satisfaction, for the faithful performance of his duties, and shall have the custody of all moneys, bonds, notes, mortgages, and other securities and obligations belonging to the Home. He shall keep full and accurate accounts of receipts and payments, in the manner directed by the by-laws, and such other accounts as the Trustees shall prescribe. He shall balance all his accounts annually, at the close of the fiscal year, and make a statement of the balances therein, and an abstract of all receipts and payments of the past year, which he shall, upon demand, deliver to the Auditing Committee of the Board of Trustees, who shall compare the same with his books and vouchers, and verify the same by a further comparison with the books of the Superintendent, and certify their findings upon such examinations to the Trustees at their annual meeting. He shall further render an account of the state of his books, and of the funds and other property in his custody, whenever required to do so by the Trustees.

Bond.

SEC. 19. The Trustees are authorized and empowered to receive, on behalf of the State, from the "California Association for the Care and Training of Feeble-minded Children," the pupils now in their charge, and also any property, moneys, credits, or things of value, which said association may desire to transfer to this State institution.

SEC. 20. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of forty-five thousand dollars for the purposes of this Act.

SEC. 21. This Act shall take effect immediately.

Commissioner, having legal charge and control of the management and maintenance of said park or parks.

SEC. 3. The terms Common Council and Board of Supervisors are hereby declared to include any body or Board which, under the law, is the legislative department of the government of any city, county, or city and county.

Defining terms of Common Council and Boards Supervisors.

SEC. 4. This Act shall be enforced from and after its passage.

## CHAPTER XLII.

*An Act to amend an Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them, approved March 30, 1878, by making applicable thereto section eleven hundred and ninety-five (1195) of the Code of Civil Procedure, concerning consolidation of separate actions.*

[Approved March 8, 1887.]

*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section seven of an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps on the logs cut and hauled by the persons who employ them," approved March thirtieth, eighteen hundred and seventy-eight, is hereby amended to read as follows:

Loggers' and laborers' liens.

Section 7. Sections five hundred and thirty-nine, eleven hundred and eighty-nine, eleven hundred and ninety-five, eleven hundred and ninety-seven, eleven hundred and ninety-eight, and eleven hundred and ninety-nine of the Code of Civil Procedure are hereby made applicable to this Act.

SEC. 3. All Acts and parts of Acts inconsistent herewith are hereby repealed.

## CHAPTER XLIII.

*An Act to provide for permanent improvements at the California Home for the Care and Training of Feeble-Minded Children, and to appropriate money therefor.*

[Approved March 8, 1887.]

*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The sum of twenty-five thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to provide for permanent improvements at the California Home for the Care and Training of Feeble-Minded Children.

Appropriation. Feeble-minded children.

How to be  
expended.

SEC. 2. The said money shall be expended in completing present and erecting additional buildings, and providing for lighting the same; in laying out, fencing, sewerage, and improving the grounds, and planting the same with trees. It shall be expended under the direction and supervision of the Board of Trustees of said Home, in whose favor the Controller shall draw his warrant, from time to time, as the work shall progress, upon the requisition of the said Board for the same.

SEC. 3. This Act shall take effect immediately.

#### CHAPTER XLIV.

*An Act to amend section three hundred and forty-three of the Political Code, relating to the number and designation of the civil executive officers of the State.*

[Approved March 8, 1887.]

*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section three hundred and forty-three of the Political Code is hereby amended to read as follows:

Designating  
civil execu-  
tive officers.

343. The number and designation of the civil executive officers are as follows: A Governor; a Private Secretary for the Governor; an Executive Secretary for the Governor; a Secretary for the Board of Examiners; a Lieutenant-Governor; a Secretary of State; a Deputy Secretary of State; a Bookkeeper for the Secretary of State; two Recording Clerks for the Secretary of State; a Controller; a Deputy Controller; a Bookkeeper for the Controller; five clerks for the Controller; a Treasurer; a Deputy Treasurer; a clerk for the Treasurer; an Attorney-General; a Deputy Attorney-General; a Surveyor-General, who shall be ex officio Register of the State Land Office; a Deputy Surveyor-General; one clerk for the Surveyor-General; two clerks for the Register; a Superintendent of Public Instruction; a Deputy for the Superintendent of Public Instruction; one clerk for the Superintendent of Public Instruction; a Superintendent of State Printing; an Inspector of Gas Meters; a Vaccine Agent; a Commissioner of Immigration; an Insurance Commissioner; a Deputy for the Insurance Commissioner; three State Capitol Commissioners; four Port Wardens for the Port of San Francisco; a Port Warden for each port of entry except San Francisco; three State Harbor Commissioners; three Harbor Commissioners for the Port of Eureka; six Pilots for each harbor where there is no Board of Pilot Commissioners; three members of the Board of Pilot Commissioners for the Ports of San Francisco, Mare Island, and Benicia; three members of the Board of Pilot Commissioners for Humboldt Bay and Bar; three Fish Commissioners; a President and twelve Directors of the State Board of Agriculture; four members of the State Board of Equalization; a Clerk of the Board of Equalization; three

CHAPTER LVII.

*An Act to provide for the government and management of the "California Home for the Care and Training of Feeble-Minded Children."*

[Approved March 9, 1887.]

*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The "California Home for the Care and Training of Feeble-Minded Children" is under the control of a Board of five Trustees appointed by the Governor, by and with the advice and consent of the Senate, whose term of office is four years, and until their successors are appointed and qualified. Women may be Trustees, officers, or employes in said institution. All vacancies in said Board shall be filled by appointment by the Governor. If the vacancies occur by reason of the expiration of the term of office of any Trustee, then his successor shall hold for a term of four years. If the vacancy occur by reason of resignation, death, or removal, or any way other than by expiration of term, the Governor shall fill the place by appointment for the unexpired term. The appointment of every Trustee whose term of office has not expired when the Legislature next convenes after his appointment, shall be submitted to the Senate for confirmation. Nothing herein shall be construed to affect the tenure of office of the present Board of Trustees.

Board  
Trustees.  
Governor  
appoint.  
Term of  
office.

Women as  
Trustees.

Vacancies  
filled by  
Governor.

Senate  
confirm.

SEC. 2. The Trustees shall qualify by taking the usual oath of office, and one of their number shall be President, to be selected by the Board and to hold office for one year. They shall receive no compensation for their services, but shall receive their necessary expenses while in the performance of official business.

Organization  
of Board.

Compensa-  
tion.  
Necessary  
expenses.

SEC. 3. The Board may take and hold in trust for the State any grant or devise of land, or any donation or bequest of money, or other personal property, heretofore or hereafter granted or devised, donated, or bequeathed to the use of said Home, and shall dispose of the same in accordance with the wishes of the testator or devisor, if expressed; or if no conditions are attached to the bequest or donation, then to invest, and use the proceeds of such investment, for the best interests of the Home.

Donations  
held in trust.  
Powers of  
Board.

SEC. 4. The Trustees shall elect a Treasurer, who shall not be one of their number, and shall fix his compensation. He shall be required to give a bond in such sum as the Trustees may determine, with good and sufficient sureties, to their satisfaction, for the faithful performance of his duties, and shall have the custody of all moneys, bonds, notes, mortgages, and other securities and obligations belonging to the Home. He shall keep full and accurate accounts of receipts and payments, in the manner directed by the by-laws, and such other accounts as the Trustees shall prescribe. He shall balance his accounts at the close of the fiscal year, and make

Treasurer.  
Bond.

Manner of  
keeping  
accounts.

Department of Mental Services

a statement of the balances therein, and an abstract of all receipts and payments of the past year, which he shall, upon demand, deliver to the Auditing Committee of the Board of Trustees, who shall compare the same with his books and vouchers, and verify the same by a further comparison with the books of the Superintendent, and certify their findings upon such examinations to the Trustees at their annual meeting. He shall further render an account of the state of his books, and of the funds and other property in his custody, whenever required to do so by the Trustees.

Rules and regulations.

Compensation of officers.  
Bonds.

Superintendent, salary of.  
Bond.

Superintendent, chief executive officer.  
Duties of.

Matron, salary of.

Dismissal of subordinates.

Discipline.

Submission to Board of Superintendent's accounts.

SEC. 5. The Board shall establish such rules and regulations as may be deemed expedient for the management and government of the Home and for securing economy and accountability in all its affairs; and its officers and employes shall strictly observe such rules and regulations, which may be changed at any time, at the pleasure of the Board. The Board shall fix the compensation of all officers and employes of the institution or Home, and may require bonds if they deem it desirable, and shall fix the amount and determine the sufficiency thereof.

SEC. 6. The Board shall appoint a Superintendent, whose annual salary shall be twenty-four hundred dollars. Before entering upon the discharge of any duty, the appointee shall give a bond to the State of California in the sum of ten thousand dollars, with sureties to the satisfaction of the Board of Trustees, for the faithful performance of all duties. The Superintendent shall be chief executive officer of the Home; shall have the general superintendence of the buildings, workshops, grounds, and farm, together with their furniture, implements, fixtures, and stock, and the direction and control of all persons employed in and about the same, subject to the laws and regulations established by the Trustees. He shall also be ex officio Secretary of the Board of Trustees, and shall perform such duties as Secretary as the Board may direct. The Board shall appoint a Matron, and fix her salary, not exceeding nine hundred dollars per annum, and it may remove either Superintendent or Matron for cause. The Superintendent shall employ and discharge, subject to the approval and supervision of the Board of Trustees, such teachers, attendants, assistants, artisans, and laborers as he may think proper and necessary for the economical and efficient carrying into effect of the design of the institution, and shall prescribe their several duties and places. The Superintendent shall also, from time to time, give such orders and instructions as may appear best calculated to induce good conduct, fidelity, and economy in any department of labor and expense, and is authorized and enjoined to maintain salutary discipline among all who are employed by the institution or Home, and to enforce strict compliance with such instructions, and uniform obedience to all the rules and regulations of the Home; and shall further cause full and fair accounts and records of all his doings and of the entire business and operations of the institution, together with the condition and prospects of the pupils, to be kept regularly from day to day in books provided for that purpose, and shall see

that all such accounts and records are fully made up to the date of each half fiscal year, and that the principal facts and results, with an official report thereon, is laid before the Board at its semi-annual meetings, except it may be otherwise specially ordered. The exercise of all the powers of the Superintendent shall be subject to the approval of the Trustees. The Superintendent shall conduct the official correspondence, and keep a record of the applications received and the pupils admitted, and shall be accountable for the careful keeping and economical use of all furniture, stores, and other articles provided for the Home, and prepare and present to the Board, at its semi-annual meetings, a true and complete inventory of all personal property belonging to the Home.

Acts of Superintendent subject to approval of Board.  
Superintendent as official correspondent.  
General accountability of Superintendent.

SEC. 7. Whenever a parent, or guardian, or any person charged with the support of any child, shall desire the same to be admitted into the "California Home for the Care and Training of Feeble-Minded Children," he may appear before and petition the Court, or a Judge thereof, in the county in which he resides, for an order for the admission of said child into said Home. The Court or Judge shall inquire into the condition and status of said child, and if he find that the same is imbecile, or feeble-minded, between the age of five and twenty-one years, incapable of receiving instruction in the common schools, and has been a resident of the State for one year next preceding the date of the petition, he shall make an order that said child be received into, and maintained and educated in said Home; and upon the presentation of such order the Superintendent shall receive such child into said Home; *provided*, the Home be not already full, or the fund available to said Home be not exhausted. The Court or Judge shall also inquire into the financial condition of the parent, or guardian, or person charged with the support of such child, and if he find him able, in whole or in part, to pay the expenses of such child at said Home, he shall make a further order requiring such parent, guardian, or person charged with the support of said child, to pay to the said Home, at stated periods, such sums as in the opinion of the Court or Judge thereof he may deem proper, during such time as the child may remain in said Home. This order may be enforced by such order or orders as the Court or Judge thereof may deem necessary, and may be varied, altered, or revoked, in the discretion of the Court, or Judge thereof. But the Board may return to its parent or guardian any child who has been an inmate of said Home for the period of two months.

Mode of obtaining admission.

Judicial inquiry as to right of entry of applicants.

Proviso.

Where financially able, parent or guardian liable for maintenance.

Dismissal of inmates.

SEC. 8. If the capacity of the Home allows the reception of any additional pupils, the Trustees may admit younger or older persons of the same class upon the same terms before specified, and also non-residents of the State; but for all of this last class, the Trustees shall charge and receive for the Home a fair rate of compensation, to be fixed by the Trustees; and residence in the Home, on the part of a person admitted as a non-resident of the State, shall not be held to change that status. The Board of Trustees may admit into said Home any inmate for life upon such terms of donations, bequest, or

Admission of additional applicants.

Rate of compensation.

Life membership and terms.

Department of General Session